

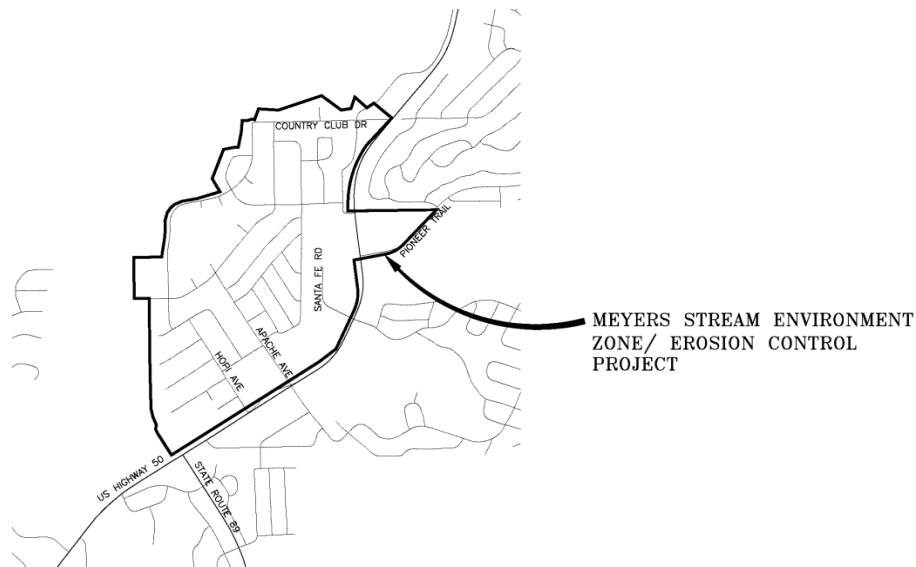
**COUNTY OF EL DORADO, CALIFORNIA  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION**

**CONTRACT DOCUMENTS**

INCLUDING  
NOTICE TO BIDDERS, SPECIAL PROVISIONS,  
PROPOSAL, AND CONTRACT  
FOR

**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT**

CONTRACT No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799



FOR USE WITH  
STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION,  
2010 STANDARD SPECIFICATIONS AND 2010 STANDARD PLANS

**BID OPENING DATE: May 25, 2017**

**COUNTY OF EL DORADO, CALIFORNIA  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION**

**CONTRACT DOCUMENTS**

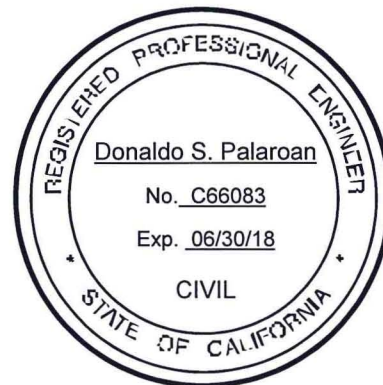
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**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT**

**APRIL 2017**

**PW 16-31121, CIP No. 95179, P&C No. 087-C1799**

The various portions of the Contract Documents have been prepared under the direction of the following registered Civil Engineer, in accordance with California Business and Professions Code § 6735.



  
\_\_\_\_\_  
Donald S. Palaroan, RCE No. C66083

Date 04/04/2017

**COUNTY OF EL DORADO, STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION**

**MEYERS STREAM ENVIRONMENT ZONE/  
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**COUNTY OF EL DORADO, CALIFORNIA  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION**

**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN** by the County of El Dorado, State of California, that sealed bids for Work in accordance with the Project Plans (Plans) and Contract Documents designated:

**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT**

**CONTRACT NO. PW 16-31121, CIP NO. 95179, P&C No. 087-C1799**

Will be received at the El Dorado County, Community Development Agency, Transportation Division Office, 924B Emerald Bay Road, South Lake Tahoe, California, until **May 25 at 2:00 PM**, at which time bids will be publicly opened and read by the County of El Dorado Community Development Agency, Transportation Division.

No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60) calendar days. Bids must be executed in accordance with the instructions given and forms provided in the Contract Documents furnished by the County of El Dorado, Community Development Agency, Transportation Division through Quest Construction Data Network (Quest). **The Proposal including the Bidder's Security shall be submitted in a sealed envelope clearly marked:**

**"PROPOSAL FOR MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT"**

**CONTRACT NO. PW 16-31121, CIP NO. 95179, P&C NO. 087-C1799**

**TO BE OPENED AT 2:00 P.M. ON MAY 25, 2017**

**LOCATION/DESCRIPTION OF THE WORK:** The Project is located in the community of Meyers in South Lake Tahoe. The Project is bordered by the Upper Truckee River on the west and Lake Tahoe Golf Course on the northwest, US Highway 50/ State Route 89 on the south, and by Pioneer Trail on a small portion to the east, in eastern El Dorado County, in the Tahoe Basin. The Work to be done is shown on the Plans, and generally consists of, but is not limited to:

- A. Construction of erosion control improvements including tree removal, culverts, rock slope protection, blanket lined channels, sediment basins, and pavement removal. Other items or details not mentioned above, that are required by the plans, Standard Plans, Standard Specifications, or these Special Provisions must be performed, constructed or installed.
- B. Bids are required for the entire Work described herein.
- C. The Contract time is EIGHTY-FIVE (85) WORKING DAYS.
- D. For bonding purposes the anticipated Project cost is less than \$1,000,000.
- E. A pre-bid meeting is scheduled for this Project on **Wednesday, May 17 at 2:00 p.m.** at the County of El Dorado, Community Development Agency, Transportation Division, 924B Emerald Bay Road, South Lake Tahoe, CA. Attendance at the pre-bid meeting is not mandatory.

F. This Project is being formally bid in accordance with Public Contract Code 22032 and County of El Dorado Ordinance Code section 3.14.040.

**OBTAINING OR VIEWING CONTRACT DOCUMENTS:** The Contract Documents, including the Project Plans, may be viewed and/or downloaded from the Quest website at <https://www.questcdn.com>. Interested parties may also access the Quest website by clicking on the link next to the Project Name or entering the Quest Project # on the Community Development Agency, Transportation Division's website at <http://www.edcgov.us/Government/DOT/BidsHome.aspx>.

Interested parties may view the Contract Documents, including the Project Plans, on the Quest website at no charge. The digital Contract Documents, including the Project Plans, may be downloaded for \$10.00 by inputting the Quest Project #4414392 on the websites' Project Search page. Please contact QuestCDN.com at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in free membership, registration, downloading, and working with this digital project information. To be included on the planholders list, receive notification of addenda, and to be eligible to bid interested parties must download the Contract Documents, including the Project Plans, from Quest. **Those downloading the Contract Documents, including the Project Plans, assume responsibility and risk for completeness of the downloaded Contract Documents.**

The Contract Documents, including the Project Plans, may be examined in person at the Community Development Agency, Transportation Division office at 924B Emerald Bay Road, South Lake Tahoe, CA and 2850 Fairlane Court, Placerville, CA. However the Community Development Agency, Transportation Division will no longer sell paper copies of the Contract Documents.

Supplemental Project Information including Revised Standard Plans will be provided in pdf format as part of the Contract Documents on Quest's website to all planholders who acquire the Contract Documents digitally through Quest.

**CONTRACTORS LICENSE CLASSIFICATION:** Bidders must be properly licensed to perform the Work pursuant to the Contractors' State License Law (Business and Professions Code Section 7000 et seq.) and must possess a **CLASS A** license or equivalent combination of Classes required by the categories and type of Work included in the Contract Documents and Plans at the time the Contract is awarded, and must maintain a valid license through completion and acceptance of the Work, including the guarantee and acceptance period. Failure of the successful Bidder to obtain proper adequate licensing will constitute a failure to execute the Contract and will result in the forfeiture of the Bidder's security.

**BUSINESS LICENSE:** The County Business License Ordinance provides that it is unlawful for any person to furnish supplies or services, or transact any kind of business in the unincorporated territory of the County of El Dorado without possessing a County business license unless exempt under County Ordinance Code Section 5.08.070. The Bidder to whom an award is made must comply with all of the requirements of the County Business License Ordinance, where applicable, prior to beginning Work under this Contract and at all times during the term of this Contract.

**CONTRACTOR REGISTRATION:** No contractor or subcontractor may bid on any public works project, be listed in a bid proposal for any public works project, or engage in the performance of any contract for public work unless registered with the Department of Industrial Relations pursuant to Labor Code sections 1725.5 and 1771.1.

An inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive if the requirements of Labor Code section 1771.1 are met.

**SUBCONTRACTOR LIST:** Each Proposal must have listed therein the name, contractor's license number and address of each subcontractor to whom the bidder proposes to subcontract portions of the Work in an amount in excess of 0.5 % of the total bid or \$10,000, whichever is greater, in accordance with the Subletting and Subcontracting Fair Practices Act, commencing with Section 4100 of the Public Contract Code. The Bidder must also describe in the Subcontractor List the Work to be performed by each subcontractor listed. The Work to be performed by the subcontractor must be shown by listing the bid item number, bid item description, and portion of

the Work to be performed by the subcontractor in the form of a percentage (not to exceed 100%) calculated by dividing the Work to be performed by the subcontractor by the respective bid item amount(s) (not by the total bid price). The percentage of each bid item subcontracted may be submitted with the Bidder's bid or sent via email or fax to Donaldo Palaroan, County of El Dorado, Community Development Agency, Transportation Division, email-donaldo.palaroan@edcgov.us, Fax-(530) 541-7049 by 4:00 p.m. on the first business day after the bid opening. The email or fax must contain the name of each subcontractor submitted with the Bidder's bid along with the bid item number, the bid item description, and the percentage of each bid item subcontracted, as described above. At the time the contract is awarded, all listed subcontractors must be properly licensed to perform their designated portion of the Work. The bidder's attention is directed to other provisions of the Act related to the imposition of penalties for failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.

An inadvertent error in listing the California Contractor license number on the Subcontractor List will not be grounds for filing a bid protest or grounds for considering the bid non-responsive if the Bidder submits the corrected contractor's license number to Donaldo Palaroan via fax or email as noted above within 24 hours after the bid opening, provided the corrected contractor's license number corresponds to the submitted name and location for that subcontractor.

**BUY AMERICA:** This Project is subject to the "Buy America" provisions of the Surface Transportation Assistance Act of 1982, as amended by the Intermodal Surface Transportation Efficiency Act of 1991, and the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21).

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:** The County of El Dorado affirms that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation.

Bidder will take all necessary affirmative steps to assure that minority firms, women's business enterprises and labor surplus area firms are used when possible.

**NONDISCRIMINATION:** Comply with Chapter 5 of Division 4 of Title 2, California Code of Regulations and the following.

**NOTICE OF REQUIREMENT FOR NONDISCRIMINATION PROGRAM  
(GOVERNMENT CODE SECTION 12990)**

Comply with Section 7-1.02I(2), "Nondiscrimination," of the Standard Specifications, which is applicable to all nonexempt State contracts and subcontracts, and to the "Standard California Nondiscrimination Construction Contract Specifications" set forth therein. The specifications are applicable to all nonexempt State construction contracts and subcontracts of \$5,000 or more.

Comply with the additional nondiscrimination and fair employment practices provisions in the *Draft Agreement* contained in these Contract Documents that will apply to this federal-aid Contract.

The Community Development Agency, Transportation Division hereby notifies all Bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for the award.

**PREVAILING WAGE REQUIREMENTS:** In accordance with the provisions of California Labor Code Sections 1770 et seq., including but not limited to Sections 1773, 1773.1, 1773.2, 1773.6, and 1773.7, the general prevailing rate of wages in the county in which the Work is to be done has been determined by the Director of the California Department of Industrial Relations. Interested parties can obtain the current wage information by submitting their requests to the Department of Industrial Relations, Division of Labor Statistics and Research, PO Box 420603, San Francisco CA 94142-0603, Telephone (415) 703-4708 or by referring to the website at <http://www.dir.ca.gov/OPRL/PWD>. The rates at the time of the bid advertisement date of a project will remain in effect for the life of the project in accordance with the California Code of Regulations, as modified and effective

January 27, 1997.

Copies of the general prevailing rate of wages in the county in which the Work is to be done are also on file at the Community Development Agency, Transportation Division's principal office, and are available upon request, and in case of projects involving federal funds, federal wage requirements as predetermined by the United States Secretary of Labor have been included in the Contract Documents. Addenda to modify the Federal minimum wage rates, if necessary, will be issued as described in the Project Administration section of this Notice to Bidders.

In accordance with the provisions of Labor Code 1810, eight (8) hours of labor constitutes a legal day's work upon all work done hereunder, and Contractor and any subcontractor employed under this Contract must conform to and be bound by the provisions of Labor Code Sections 1810 through 1815.

This Project is subject to the requirements of Title 8, Chapter 8, Subchapter 4.5 of the California Code of Regulations including the obligation to furnish certified payroll records directly to the Compliance Monitoring Unit under the Labor Commissioner within the Department of Industrial Relations Division of Labor Standards Enforcement in accordance with Section 16461.

In the case of federally funded projects, where federal and state prevailing wage requirements apply, compliance with both is required. This Project is funded in whole or part by federal funds. Comply with Exhibit D of the Draft Agreement and the Copeland Act (18 U.S.C. 874 and 29 CFR Part 3), the Davis-Bacon Act (40 U.S.C. 276a to 276a-7 and 29 CFR Part 5), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330 and 29 CFR Part 5).

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, Contractor and subcontractors must pay not less than the higher wage rate. The Community Development Agency, Transportation Division will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by Contractor and subcontractors, Contractor and subcontractors must pay not less than the federal minimum wage rate which most closely approximates the duties of the employees in question.

**TRAINING:** For the Federal training program, the number of trainees or apprentices is 0.

**BID SECURITY:** A bid security must be provided with each bid. Bid security must be in an amount of not less than ten percent (10%) of the total amount of the Bid and must be cash, a certified check or cashier's check drawn to the order of the County of El Dorado or a Bidder's Bond executed by a surety satisfactory to the County of El Dorado **on the form provided in the Proposal section of these Contract Documents.**

**BID PROTEST PROCEDURE:** The protest procedure is intended to handle and resolve disputes related to the bid award for this Project pursuant to Title 49 Code of Federal Regulations Part 18 Section 18.36 (b) (12)(i)-(ii) and County of El Dorado policies and procedures. A protestor must exhaust all administrative remedies with the County of El Dorado before pursuing a protest with a Federal Agency. Reviews of protests by the Federal agency will be limited to:

(i.) Violations of Federal law or regulations and the standards of 49 CFR Part 18 Section 18.36 (b) (12) (i)-(ii). Violations of State of California or local law will be under the jurisdiction of the State of California or the County of El Dorado; and

(ii.) Violation of the County of El Dorado's protest procedures for failure to review a complaint or protest. Protests received by the Federal agency other than those specified above will be referred to the County of El Dorado.

The protest procedure is an extension of the formal bid process and allows those who wish to protest the

recommendation of an award after bid the opportunity to be heard.

**Policy:** Upon completion of the bid evaluation, the Community Development Agency, Transportation Division will notify all bidders of the recommendation of award, the basis therefore, and the date and time on which the recommendation for award will be considered and acted upon by the Board of Supervisors. All bidders may attend the Board of Supervisors meeting at the time the agenda item is considered, address the Board of Supervisors, and be heard.

**Procedure:** If a bidder wishes to protest the award, this is the procedure:

The Community Development Agency, Transportation Division will review the bids received in a timely fashion under the terms and conditions of the Notice to Bidders, and notify the bidders in writing, at the fax number designated in the Proposal, of its recommendation including for award or rejection of bids ("All Bidders Letter").

1. Within five (5) business days from the date of the "All Bidders Letter," the Bidder protesting the recommendation for award must submit a letter of protest to and must be received by the County of El Dorado, Community Development Agency, Transportation Division, Attention Donaldo Palaroan, 924B Emerald Bay Road, South Lake Tahoe, CA 96150, and state in detail the basis and reasons for the protest. The Bidder must provide facts to support the protest, including any evidence it wishes to be considered, together with the law, rule, regulation, or criteria on which the protest is based.

2. If Community Development Agency, Transportation Division finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Community Development Agency, Transportation Division does not agree with the protest, or otherwise fails to resolve the protest, the Community Development Agency, Transportation Division will notify the bid protestor and all interested parties of its decision and the date and time that the recommendation for award will be agendized for the Board of Supervisors' consideration and action. The Community Development Agency, Transportation Division will also include in its report to the Board of Supervisors the details of the bid protest.

3. The Bidder may attend the Board of Supervisors meeting at which the recommendation and bid protest will be considered. The Board of Supervisors will take comment from the Bidder, staff, and members of the public who wish to speak on the item. In the event that the Bidder is not in attendance at that time, the bid protest may be dismissed by the Board of Supervisors without further consideration of the merits; and,

The decision of the Board of Supervisors on the bid protest will be final.

**AWARD OF CONTRACT:** Bids will be considered for award by the Board of Supervisors. The County of El Dorado reserves the right after opening bids to reject any or all bids, to waive any irregularity in a bid, or to make award to the lowest responsive, responsible Bidder and reject all other bids, as it may best serve the interests of the County.

As a condition of award, the successful Bidder will be required to submit bonds and evidence of insurance prior to execution of the Agreement by the County. Failure to meet this requirement constitutes abandonment of the Bid by the Bidder and forfeiture of the Bidder's security. Award will then be made to the next lowest, responsive, responsible Bidder.

**RETAINAGE FROM PAYMENTS:** The Contractor may elect to receive one hundred percent (100%) of payments due under the Contract from time to time, without retention of any portion of the payment by the County, by depositing securities of equivalent value with the County in accordance with the provisions of Section 22300 of the Public Contract Code. Securities eligible for deposit hereunder are be limited to those listed in Section 16430 of the Government Code, or bank or savings and loan certificates of deposit.

**PROJECT ADMINISTRATION:** Submit all Requests for Information (RFI) during the bid period on the Quest website under the Quest #4414392 under "Project Q&A". If the response does not require an addendum, a response will be posted on the Quest website under the RFI under "Project Q&A". It is the bidders' responsibility to check this website under "Project Q&A" for responses to bidders' inquiries during the bid period. Addenda will

be uploaded in pdf format to Quest's website and Quest will issue an automatic email notification to all planholders that have acquired the Contract Documents digitally through Quest. The list of planholders will be available on Quest's website under "View Planholders".

No oral responses to any questions concerning the content of the Contract Documents will be given. All responses will be in the form of written addenda to the Contract Documents or written responses to bidders' inquiries. Responses to bidders' inquiries and addenda will be posted on the [Quest](#) website as described above. Inquiries or questions based on alleged patent ambiguity of the plans, specifications, or estimate must be communicated as a bidder inquiry prior to bid opening. These inquiries or questions, submitted after bid opening will not be treated as a bid protest.

**BY ORDER OF** the Director of the Community Development Agency, County of El Dorado, State of California.

Authorized by the Board of Supervisors on May 9, 2017, at Placerville, California.

By \_\_\_\_\_  
Bard R. Lower  
Director, Transportation Division

By \_\_\_\_\_  
Roger Niello  
Interim Community Development Agency Director



## ORGANIZATION

Special provisions are under headings that correspond with the main-section headings of the *Standard Specifications*. A main-section heading is a heading shown in the table of contents of the *Standard Specifications*.

Each special provision begins with a revision clause that describes or introduces a revision to the *Standard Specifications* as revised by any revised standard specification.

Any paragraph added or deleted by a revision clause does not change the paragraph numbering of the *Standard Specifications* for any other reference to a paragraph of the *Standard Specifications*.

## STANDARD PLANS LIST

The standard plan sheets applicable to this Contract include those listed below. The applicable revised standard plans (RSPs) listed below are included in the project supplemental information.

## ABBREVIATIONS, LINES, SYMBOLS AND LEGEND

**A10A**                      **Abbreviations (Sheet 1 of 2)**

RSP A10B Abbreviations (Sheet 2 of 2)

## TEMPORARY WATER POLLUTION CONTROL

**T51 Temporary Water Pollution Control Details (Temporary Silt Fence)**

<b>T59</b>	<b>Temporary Water Pollution Control Details (Temporary Concrete Washout Facility)</b>
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**T60 Temporary Water Pollution Control Details (Temporary Reinforced Silt Fence)  
(Modified per Section 13-6.03H)**

**T65 Temporary Water Pollution Control Details [Temporary Fence (Type ESA)]**

AA

# SPECIAL PROVISIONS

## DIVISION I GENERAL PROVISIONS

### 1 GENERAL

**Add to section 1-1.01:**

#### **Bid Items and Applicable Sections**

Item code	Item description	Applicable section
025506	WOOD RAIL FENCE	80
072007	EXCAVATION SAFETY	7
120090	CONSTRUCTION AREA SIGNS	12
130670A	TEMPORARY REINFORCED SILT FENCE, MODIFIED	13
141000A	TEMPORARY FENCE (TYPE ESA) (TREE TRUNK PROTECTION)	14
150770A	REMOVE ASPHALT CONCRETE PAVEMENT (ARAPAHOE BULB)	15
150776A	REMOVE DRAINAGE FACILITY (CSP INLET)	15
150809A	REMOVE PIPE (LF)	15
160102A	TREE REMOVAL	16
190101A	ROADWAY EXCAVATION (SEDIMENT BASIN)	19
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**Replace the corresponding definitions in section 1-1.07B with:**

**Bid Item List:** List of bid items and the associated quantities. The Proposal Pay Items and Bid Price Schedule in the Proposal section is the Bid Item List. The verified Bid Item List is Exhibit A Contractor's Bid and Bid Price Schedule in the fully-executed contract for the project.

**Contract acceptance:** County Clerk/Recorder's recordation of the executed written Notice of Acceptance of a completed Contract.

**Add to section 1-1.07B:**

**BMP:** Best Management Practices.

**CCC:** California Conservation Corps.

**CTC:** California Tahoe Conservancy.

**Contract approval:** Execution of the Contract by the County of El Dorado.

**Contract award package:** The Notice of Award of Contract letter, two originals of the Agreement, Payment and Performance bond forms, and other forms the successful Bidder must complete for Contract Execution.

**Contract Documents:** See Article 2 "Contract Documents" of the Draft Agreement.

**County:** County of El Dorado, a political subdivision of the State of California.

**Replace the corresponding definitions in section 1-1.07B with:**

**Department or Department of Transportation:** The Transportation Division in the Community Development Agency of the County of El Dorado or Department of Transportation as defined in St & Hwy Code § 20 and authorized in St & Hwy Code § 90; its authorized representatives.

**Engineer:** The Director of Transportation for County of El Dorado, or authorized representative (Resident Engineer) responsible for the Contract's administration; the Resident Engineer's authorized representatives.

**Delete estimated cost in section 1-1.07B.**

**Add to section 1-1.07B:**

**EID:** El Dorado Irrigation District

**Replace informal-bid contract in section 1-1.07B with:**

**Informal-bid contract:** Contract that is noted as informally bid in the *Notice to Bidders*.

**Add to section 1-1.07B:**

**Laboratory:** The established laboratory of the County of El Dorado Department of Transportation or laboratories authorized by the Engineer to test materials and work involved in the contract.

**Liberty:** Liberty Utilities.

**Office Engineer:** The Office Engineer in the County of El Dorado, Community Development Agency, Transportation Division or, depending on context, Caltrans Office Engineer.

**Proposal:** The Proposal section of the Contract Documents book, or the Bidder's bid.

**RWQCB:** Regional Water Quality Control Board, Lahontan Region.

**SEZ:** Stream Environment Zone.

**Replace the corresponding definitions in section 1-1.07B with:**

**2. revised standard specifications:** New or revised standard specifications. These specifications are in a section titled *Revised Standard Specifications* of a book titled *Contract Documents including Notice to Bidders, Special Provisions, Proposal, and Contract*.

**Structure Design:** The Community Development Agency, Transportation Division for County of El Dorado or Offices of Structure Design of the Department of Transportation.

**USFS:** United States Forest Service; also known as the USDA Forest Service; an agency of the United States Department of Agriculture.

The *Notice to Bidders* includes how and where to obtain the Contract Documents book, the project Plans, and the Supplemental Project Information.

The Contract Documents book includes the *Notice to Bidders*, *revised standard specifications*, *special provisions*, *Proposal*, and *Contract*.

**Replace the 3rd paragraph of section 2-1.06B of the RSS dated 10-17-14 with:**

If an *Informational Handout* or cross sections are available you may view and/or download them at as described in the *Notice to Bidders*

**Add to section 2-1.06B:**

Availability of and requests for rock cores, other supplemental project information, and bridge as-built drawings described in this section apply only to projects on the State Highway System.

The Department makes the following supplemental project information available:

**Supplemental Project Information**

Means	Description
Included in <i>Information Handout</i>	
Available as specified in the <i>Notice to Bidders</i>	Applicable RSPs
Available for inspection at the Tahoe Engineering Office Telephone No. (530) 573-7900	Storm Water Pollution Prevention Plan (SWPPP)

**Replace "Reserved" in section 2-1.08 of the RSS dated 2-21-14 with:**

**2-1.08 FEDERAL LOBBYING RESTRICTIONS**

Section 2-1.08 applies to a federal-aid contract.

Under 31 USC § 1352:

None of the funds appropriated by any Act may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with:

- (1) The awarding of any Federal contract.
- (2) The making of any Federal grant.
- (3) The making of any Federal loan.
- (4) The entering into of any cooperative agreement.
- (5) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than Federal funds have been paid for the same purposes in connection with this Federal-aid contract, submit an executed certification and, if required, submit a completed disclosure form as part your Proposal.

A certification for Federal-aid contracts regarding payment of funds to lobby Congress or a Federal agency is included in the Proposal. Standard Form - LLL, "Disclosure of Lobbying Activities," with instructions for completion of the Standard Form is also included in the Proposal. Signing the Proposal constitutes signature of the Certification.

The certification and disclosure of lobbying activities must be included in each subcontract and any lower-tier contracts exceeding \$100,000. Submit all disclosure forms regardless of tier, but not certifications.

You, your subcontractors, and any lower-tier contractors must file a disclosure form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form you, your subcontractors, and any lower-tier contractors previously filed. An event that materially affects the accuracy of the information reported includes:

- A. A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
- B. A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or,
- C. A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered Federal action.

**Replace the 2nd paragraph of section 2-1.10 in the RSS dated 2-27-15 with:**

The Subcontractor List in the Proposal must show the name, contractor's license number, and address and work portions to be performed by each subcontractor listed. The work portion to be performed must be shown by listing the bid item number, bid item description, and portion of the work to be performed by the subcontractor in the form of a percentage (not to exceed 100%) calculated by dividing the work to be performed by the subcontractor by the respective bid item amount(s) (not by the total bid price).

An inadvertent error in listing the California Contractor license number on the Subcontractor List will not be grounds for filing a bid protest or grounds for considering the bid non-responsive if the Bidder submits the corrected contractor's license number to Donald Palaroan via fax (530) 541-7049 or email donaldo.palaroan@edcgov.us within 24 hours after the bid opening, provided the corrected contractor's license number corresponds to the submitted name and location for that subcontractor.

**Replace section 2-1.12A with:**

You shall also carry out applicable requirements of 7 CFR 3016 in the award and administration of this UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)-assisted Contract. The applicable requirements of 7 CFR 3016.36(e) are as follows:

*(a) Contracting with small and minority firms, women's business enterprise and labor surplus area firms.*

- (1) You will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.
- (2) Affirmative steps shall include:
  - (i) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - (ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - (iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
  - (iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
  - (v) Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and

- (vi) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a)(2) (i) through (v) of this section.

Bidder will take all necessary affirmative steps to assure that minority firms, women's business enterprises and labor surplus area firms are used when possible.

**Replace section 2-1.15 "Disabled Veterans Business Enterprise" with:**  
**2-1.15 RESERVED**

**Replace section 2-1.18 "Small Business and Non-Small Business Subcontractor Preferences" with:**  
**2-1.18 RESERVED**

**Replace section 2-1.27 "California Companies" with:**  
**2-1.27 RESERVED**

**Replace section 2-1.33 of the RSS dated 2-27-15 with:**  
 Except as noted below, complete the pages of the Proposal in the Contract Documents book and submit the completed Proposal with the Bidder's Security as noted in the *Notice to Bidders*.

Submit the forms from the Proposal and form information at the times shown in the following table:

Contract type	Forms to be submitted at the time of bid	Forms to be submitted and received no later than 24 hours after bid opening <sup>a</sup>	Forms to be submitted and received no later than 4 p.m. on the 4th business day after bid opening <sup>a</sup>
All contracts	All Proposal forms including Business name and address; bid item number and bid item description of subcontracted work on the Subcontractor List	Subcontractor name bid item number, bid item description shown on the Subcontractor List submitted with Proposal, and the percentage of each bid item <sup>b</sup>  Correction for incorrect Contractor License # on Subcontractor List submitted with Proposal	--
Federal-aid contracts only		--	<ul style="list-style-type: none"> <li>• Local Agency Bidder - DBE – Commitment (Exhibit 15-G)</li> <li>• DBE Information-Good Faith Efforts (Exhibit 15-H) and Documentation<sup>c</sup></li> </ul>

<sup>a</sup>The percentage of each bid item and the 15-G and 15-H forms may be submitted at the time of bid.  
<sup>b</sup>If the information is not submitted at the time of bid email or fax to Office Engineer, email-donaldopaleroan@edcgov.us, Fax-(530) 541-7049. This after-bid submittal does not apply to an informal-bid contract. For an informal bid contract, submit the completed form at the time of bid.  
<sup>c</sup>If not submitted at the time of bid, applicable only to the apparent low bidder, 2nd low bidder, and 3rd low bidder. Submit via email or fax to Office Engineer, email-donaldopaleroan@edcgov.us, Fax-(530) 541-7049.

Failure to submit the forms and information as specified results in a nonresponsive bid.

If an agent other than the authorized corporation officer or a partnership member signs the bid, submit a Power of Attorney authorizing the agent to sign on behalf of the principal with the bid. Otherwise, the bid may be disregarded as irregular or unauthorized.

**Replace the 4th item of the 1st paragraph of section 2-1.34 with:**

4. Bidder's bond signed by an authorized representative of a surety insurer who is licensed in California. The authorized representative's signature must be notarized and authorization documentation must be provided.

**Delete the 5th item of the 1st paragraph of section 2-1.34 of the RSS dated 2-21-14.**

**Replace the last paragraph of section 2-1.34 with:**

If using a bidders bond, you must complete the Bidder's bond form included in the Contract Documents following the Proposal and submit it with your proposal.

**Replace section 2-1.40 in the RSS dated 2-21-14 with:**

An authorized agent may withdraw a bid before the bid opening date and time by submitting a written bid withdrawal request at the location where the bid was submitted. Withdrawing a bid does not prevent you from submitting a new bid.

After the bid opening time, you cannot withdraw a bid.

**Replace "Reserved" in section 2-1.44 with:**

**2-1.44 BID PROTEST PROCEDURE**

The protest procedure is intended to handle and resolve disputes related to the bid award for this project pursuant to Title 7 Code of Federal Regulations Chapter XXX Part 3016 and County policies and procedures. A protestor must exhaust all administrative remedies with County before pursuing a protest with a Federal Agency. Reviews of protests by the Federal agency will be limited to:

- (i.) Violations of Federal law or regulations and the standards of 7 CFR Chapter XXX Part 3016. Violations of State of California or local law will be under the jurisdiction of the State or County; and
- (ii.) Violation of County's protest procedures for failure to review a complaint or protest. Protests received by the Federal agency other than those specified above will be referred to County.

The protest procedure is an extension of the formal bid process and allows those who wish to protest the recommendation of an award after bid the opportunity to be heard.

**Policy:** Upon completion of the bid evaluation, the Department will notify all bidders of the recommendation of award, the basis therefore, and the date and time on which the recommendation for award will be considered and acted upon by the Board of Supervisors. All bidders may attend the Board of Supervisors meeting at the time the agenda item is considered, address the Board of Supervisors, and be heard.



**Procedure:** If you wish to protest the award, this is the procedure:

1. The Department will review the bids received in a timely fashion under the terms and conditions of the *Notice to Bidders*, and notify you in writing, at the fax number designated in the Proposal, of its recommendation including for award or rejection of bids ("All Bidders Letter").
2. Within five (5) business days from the date of the "All Bidders Letter," the Bidder protesting the recommendation for award must submit a letter of protest to and must be received by Office Engineer, Attention Donald Palaroan, and state in detail the basis and reasons for the protest. The Bidder must provide facts to support the protest, including any evidence it wishes to be considered, together with the law, rule, regulation, or criteria on which the protest is based.
3. If the Department finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Department does not agree with the protest, or otherwise fails to resolve the protest, the Department will notify the bid protestor and all interested parties of its decision and the date and time that the recommendation for award will be agendized for the Board of Supervisors' consideration and action. The Department will also include in its report to the Board of Supervisors the details of the bid protest.
4. The Bidder may attend the Board of Supervisors meeting at which the recommendation and bid protest will be considered. The Board of Supervisors will take comment from the Bidder, staff, and members of the public who wish to speak on the item. If the Bidder is not in attendance at that time, the bid protest may be dismissed by the Board of Supervisors without further consideration of the merits; and,

The decision of the Board of Supervisors on the bid protest will be final.

**Replace the 1st sentence in section 2-1.46 with:**

County Board of Supervisors' decision on the bid award is final.

**Replace the 1st sentence in the 2nd paragraph section 2-1.46 with:**

County Board of Supervisors may reject:

**Replace section 2-1.47 with:**

**2-1.47 BID RELIEF**

County Board of Supervisors may grant bid relief under Pub Cont Code § 5100 et seq. Submit any request for bid relief to Office Engineer, email-donald.palaroan@edcgov.us, Fax-(530) 541-7049. Requests for bid relief must be in writing within 5 business days of the bid opening and must demonstrate:

1. A mistake was made in your bid.
2. The mistake made the bid materially different than what you intended.
3. The mistake was made in filling out the bid and not due to an error in judgment or to carelessness in inspecting the site of work or in reading the plans or specifications.

**Delete section 2-1.49.**

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### **3 CONTRACT AWARD AND EXECUTION**

**Delete the 1st and 2nd paragraph of section 3-1.02B of the RSS dated 2-21-14.**

**Delete the 1st paragraph of section 3-1.04.**

**Replace the 2nd and 3rd paragraphs of section 3-1.04 with:**

County Board of Supervisors will consider bids for award. County reserves the right after opening bids to reject any or all bids, to waive any irregularity in a bid, or to make award to the lowest responsive, responsible Bidder and reject all other bids, as it may best serve the interests of County. The award of the Contract, if it be awarded, will be to the lowest, responsive, responsible bidder whose Proposal complies with all the requirements prescribed. This award, if made, will be made within sixty (60) days after the opening of the bids. This period will be subject to extension as may be agreed upon in writing between the Department and the Bidder concerned.

All bids will be compared on the basis of the Proposal Pay Items and Bid Price Schedule of the quantities of work to be done.

The lowest, responsive, responsible bidder will be the Bidder submitting the lowest additive total of all the bid items and meeting all other requirements. In the event of a discrepancy between the unit price bid and the extended unit total as stated on the Proposal, the Department uses the amount bid for the unit price in calculating the additive total of the bid items for purposes of award, including revisions by Addenda, and as specified in the Proposal instructions.

**Delete the paragraph added to the end of section 3-1.04 in the RSS dated 10-19-12.**

**Replace section 3-1.05 with:**

#### **3-1.05 CONTRACT BONDS (PUB CONT CODE § 7103)**

The successful Bidder must furnish two bonds:

1. Payment bond to secure the claim payments of laborers, workers, mechanics, or materialmen providing goods, labor, or services under the Contract. This bond must be in a sum not less than one hundred percent (100%) of the total amount payable by the terms of the contract, naming the County as obligee.
2. Performance bond to guarantee faithful performance of the Contract. This bond must be in a sum not less than one hundred percent (100%) of the total amount payable by the terms of the contract, naming the County as obligee.

The Payment and Performance Bond forms are included with the Draft Agreement section of the Contract Documents book. The Department furnishes the successful Bidder bond forms with the Contract award package.

**Replace the 1st paragraph and the 1st item of the 2nd paragraph of section 3-1.06 with:**

For a federal-aid contract, you must be properly licensed as a contractor from contract award (Pub Cont Code § 20103.5) through completion and acceptance of the Work, including the guarantee period. Failure to obtain proper and adequate licensing for an award of a Contract constitutes a failure to execute the Contract and results in the forfeiture of the security of the bidder.

1. You must be properly licensed as a contractor from bid opening (Bus & Prof Code § 7028.15) through completion and acceptance of the Work, including the guarantee period. Failure to obtain proper and adequate licensing constitutes a failure to execute the Contract and results in the forfeiture of the security of the bidder.

### 3-1.08 RESERVED

### 3-1.11 COUNTY PAYEE DATA RECORD FORM

### 3-1.18 CONTRACT EXECUTION

1. Two Original Signed *Agreements*
2. Contract Bonds
3. Documents identified in section 3-1.07 and 7-1.06
4. Drug-Free Workplace Certification form
5. County *Payee Data Record* form
6. California Form 590-Withholding Exemption Certificate
7. Documents identified in and marked as specified in section 3-1.14, if applicable.

[illegible]

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**Delete section 5-1.09.**

**Replace the 6th paragraph of section 5-1.13A with:**

Each subcontract must include the provisions of this contract and each subcontractor must comply with the applicable terms and conditions of this contract.

**Replace the 7th paragraph of section 5-1.13A with:**

The Department encourages you to and, for USDOT Federal-aid assisted projects, you must include a dispute resolution process in each subcontract.

**Replace the 2nd paragraph of section 5-1.13B(1) with:**

Use each DBE Subcontractor as listed on the Subcontractor List form and the Local Agency Bidder – DBE Commitment (Construction Contracts) Exhibit 15-G form unless you receive authorization for a substitution.

**Replace the last sentence of the 6th paragraph of 5-1.13B(1) with:**

Submit the form with the final estimate acceptance statement, which accompanies the Proposed Final Pay Estimate.

**Replace the 2nd sentence of the 7th paragraph of section 5-1.13B(1) with:**

Submit the form with the final estimate acceptance statement, which accompanies the Proposed Final Pay Estimate.

**Replace the 2nd paragraph of section 5-1.13B(2) with:**

DBEs must perform work or supply materials as listed in the Local Agency Bidder-DBE Commitment (Construction Contracts), Exhibit 15-G form.

**Replace the 7th paragraph of section 5-1.13B(2) with:**

Unless the Department authorizes (1) a request to use other forces or sources of materials or (2) a good faith effort for a substitution of a terminated DBE, the Department does not pay for work listed on the Local Agency Bidder-DBE Commitment (Construction Contracts), Exhibit 15-G form unless it is performed or supplied by the listed DBE or an authorized substitute.

**Replace section 5-1.13C “Disabled Veterans Business Enterprise” with:**

**5-1.13C RESERVED**

**Replace section 5-1.13D “Non-Small Business” with:**

**5-1.13D RESERVED**

**Add to section 5-1.20B(1):**

The Department has obtained and included in Appendix C:

1. Tahoe Regional Planning Agency Permit (#EIPC2016-0004).
2. U.S. Army Corps of Engineers Nationwide Permit #14, Linear Transportation Projects.
3. U.S. Department of Agriculture, Forest Service Special Use Permit (Authorization ID: ELD100328).
4. Regional Water Quality Control Board, Lahontan Region, Board Order R6T-2017-0010.
5. Regional Water Quality Control Board, Lahontan Region, Clean Water Act Section 401 Water Quality Certification Board Order, Board Order No. R6T-2016-0045.
6. California Tahoe Conservancy License Agreement.

**Replace section 5-1.20B(4) with:**

Before procuring material, disposing of material, or otherwise using non-highway property, obtain a written agreement from the property owner.

**Replace “Reserved” in section 5-1.20F with:**

**5-1.20F COORDINATION WITH SCHOOLS**

You must provide written notice to the following schools at least one (1) week prior to any lane closures, detour, construction staging or any work that may affect traffic or pedestrians through the construction area:

Lake Tahoe Unified School District  
1021 Al Tahoe Blvd  
South Lake Tahoe, CA 96150

**Replace section 5-1.21 with:**

**5-1.21 COORDINATION WITH PROPERTY OWNERS**

You must make every effort to communicate with adjacent property owners and tenants to inform them of required access for construction operations, and must give forty-eight (48) hours' notice to the property owners and tenants when work is to be performed on their property.

Access to adjacent businesses must be maintained so that the businesses will remain open during all normal business hours.

**Replace the 7th paragraph of section 5-1.23B(2) with:**

Allow 7 days for review.

**Replace the 2nd sentence of the 8th paragraph of section 5-1.23B(2) with:**

Allow review time specified plus 5 days for each additional set.

**Replace the 1st sentence of the 10th paragraph of section 5-1.23B(2) with:**

For complete resubmitted drawings, allow 5 days for review.

**Replace section 5-1.24 with:**

**5-1.24 COST PRINCIPLES**

Comply with the Federal Acquisition Regulations in Title 48, CFR, Part 31 et seq. as applicable, regarding allowable elements of cost for the Work to be performed under this Contract.

- A. You and your subcontractors must comply with 2 CFR Part 225 (formerly OMBA-87), Cost Principles for State, Local And Indian Tribal Governments; with Federal administrative procedures pursuant to 7 CFR 6016, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; and with Contract Cost Principles, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Parts 31 et seq., insofar as those regulations may apply. This provision applies to every sub-recipient receiving funds as a Contractor or subcontractor under this Contract.
- B. Any expenditures for costs for which you have received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR Part 225, 48 CFR, Parts 31 et seq. are subject to repayment to County.
- C. Travel and per diem reimbursements, if applicable, and third-party contract reimbursements to subcontractors will be allowable as project costs only after you incur and pay for those costs.
- D. Notwithstanding any other provision of the Contract Documents to the contrary, payments for mileage, travel or subsistence expenses, if applicable, for your staff or your subcontractors claimed for reimbursement must not exceed the lesser of (1) the rates to be paid to County employees under the current Board of Supervisors Travel Policy in effect at the time the expenses are incurred; or (2) the rates authorized to be paid to rank and file State employees under current State Department of Personnel Administration (DPA) rules. If the rates claimed are in excess of those authorized DPA rates, you are responsible for the cost difference, and you must reimburse County for any overpayments inadvertently within thirty (30) days of County's demand.

- E. You and your subcontractors must establish and maintain accounting systems and records that properly accumulate and segregate funds received under this Agreement by line item. Your and your subcontractor's accounting systems must conform to Generally Accepted Accounting Principles (GAAP), must enable the determination of incurred costs at interim points of completion, and must provide support for reimbursement of payment vouchers or invoices.

**Replace section 5-1.25 with:**

**5-1.25 AS-CONSTRUCTED PLANS**

You must submit a set of "As-Constructed Plans". The "As-Constructed Plans" must contain changes made to the Plans to reflect actual construction of the proposed improvements. The "As-Constructed Plans" must be current and updated in a timely manner so the Plans and its information are made available to the Engineer for review during the weekly meetings. You will make "As-Constructed Plans" corrections and additions using red ink. Corrections and additions are, but not limited to: changes to pipes, channels, drainage structures, and other drainage details; corrected typical sections, base, and surfacing details; changes in vertical and horizontal alignment; establish or re-establish right-of-way markers, monuments, and bench marks; new, replaced, removed or abandoned utilities, especially underground; and, any other construction details or appurtenances not shown on the Plans. When Engineer has made the final inspection as provided in section 5-1.46, then you shall submit the complete set of "As-Constructed Plans".

**Replace item 2 of the 2nd paragraph of section 5-1.26 with:**

2. On a *Request for Construction Staking* form.

**Add item 3 to the 1st paragraph of section 5-1.27B:**

3. Closure of all other pending matters under this Contract.

**Replace the opening phrase of the 2nd paragraph of section 5-1.27B with:**

For at least 4 years after the later of these, retain cost records, including records of:

**Replace section 5-1.27C with:**

**5-1.27C Record Inspection, Copying, and Auditing**

Make your records available for inspection, copying, and auditing by FHWA, the United States Department of Transportation, the Comptroller General of the United States, the State, County or their duly authorized representatives for the same time frame specified under section 5-1.27 B. The records of subcontractors and suppliers must be made available for inspection, copying, and auditing by FHWA, the United States Department of Transportation, the Comptroller General of the United States, the State, County or their duly authorized representatives for the same period. Make records available for examination during normal business hours at your principal place of business in California, for audit during normal business hours at this place of business. Provide office space, photocopies and other assistance to enable audit or inspection representatives to conduct these audits or inspections.

Incorporate this provision in any subcontract entered into as a result of this Contract. Require subcontractors to agree to cooperate with the listed agencies by making all appropriate and relevant Project records available to those agencies for audit and copying.

**Replace section 5-1.27E with:**

**5-1.27E Change Order Bills**

Maintain separate records for change order work costs. Submit paper copy change order bills.

**Delete the 2nd and 3rd paragraphs of section 5-1.32.**

**Add item 10 to 1st paragraph of section 5-1.36A.**

10. Right-of-way or property corner monuments

Pothole all underground utilities prior to construction activities. Underground Service Alert Phone: 811

- Sign panel for construction project funding sign.

**Delete the RSS dated 4-19-13 for section 6-2.05C.**

**Add to section 6-2.06**

**6-2.06 Use of United States-Flag Vessels**

You agree:

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this Contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vehicles.
2. To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, 'on-board' commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590.
3. To insert the substance of the provisions of this clause in all subcontracts issued pursuant to this Contract.

**Replace the 1st sentence of the 3rd paragraph of section 6-3.05C with:**

The Department provides an inspection request form and procedures for its submittal.

**Replace the 3rd paragraph of section 6-3.05G with:**

Submit material to be tested with a *Sample Identification Card* provided by the Department.

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## **7 LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC**

**Add to section 7-1.02A:**

County is relying on federal assistance or grants for all or a portion of the funding for the Work to be provided under this Contract. As a requirement of County's use of federal funds, County is required to comply with certain federal and state contracting requirements and to extend those requirements to its third party contracts. You must comply and must require your subcontractors to comply with all applicable provisions of federal and state regulations, including those required by Caltrans and Federal Highway Administration (FHWA) grant funding requirements, regulations, and related executive orders regarding the use, expenditure, control, reporting, allowable costs and management of such funds as well as these requirements detailed in 7 CFR 3016, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. You must further comply with all applicable provisions of the Caltrans Local Assistance Procedures Manual and the Local Assistance Program Guidelines, all Title 23 Federal requirements and all applicable state and federal laws, regulations and policy; procedural or instructional memoranda.

The following Office of Management and Budget (OMB) Circulars, as applicable, and as implemented by various parts of the Code of Federal Regulations (CFR), are incorporated by reference and made a part of these Contract Documents:

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
April 2017

County of El Dorado  
**Special Provisions**  
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2 CFR Part 225, "Cost Principles for State, Local, and Indian Tribal Governments (formerly OMB Circular A-87)"

Circular A-102, as amended August 29, 1997, "Grants and Cooperative Agreements with State and Local Governments"

Circular A-133, revised June 26, 2007, "Audits of States, Local Governments, and Non-Profit Organizations"

Copies of OMB Circulars are available on the Internet at:  
[http://www.whitehouse.gov/omb/grants\\_default](http://www.whitehouse.gov/omb/grants_default).

Failure to comply with any federal or state provision may be the basis for withholding payments and for such other remedies as may be appropriate including termination of this Contract. You must also comply with any flow-down or third-party contracting provisions which may be required under the federal and state regulations and which may apply to your subcontracts, if any, associated with this Contract. You must ensure that all subcontractors submit certifications regarding federal lobbying activities as required by Section 1352, Title 31, United State Code and that all such certifications are made a part of any subcontracts entered into as a result of this contract.

**Replace section 7-1.02C "Emissions Reduction" with:**

**7-1.02C Emissions Reduction**

Sign the Emissions Reduction Certification in the Article 13 "Emission Reduction" of the Agreement.

**Add section 7-1.02D:**

**7-1.02D REPORTING [7 CFR 3016.36 (i) (7) & 7 CFR 3016.40]**

In order to monitor the progress of projects funded in whole or in part by federal funds, federal agencies rely heavily on inspection data. Inspections by the County will be performed on a regular basis and data compiled in report form, as necessary. Supply reporting information to County when requested.

Incorporate this provision in any subcontract entered into as a result of this contract.

**Add section 7-1.02E:**

**7-1.02E COPYRIGHTS, TRADEMARKS, AND PATENTS [ 7 CFR 3016.34 & 7 CFR 3016.36 (i) (8) & (9)]**

This project will be funded, in part, with federal funds. The USDOT reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal Government proposes:

- a) The copyright in any work developed under a grant, sub-grant, or contract under a grant or subgrant;
- b) Any rights of copyright to which a grantee, subgrantee or a contractor
- c) purchases ownership with grant support; and
- d) The patent rights to any discovery or invention which arises or is developed in the course of or under such contract.

Incorporate this provision in any subcontract entered into as a result of this contract.

**Add section 7-1.02F:**

**7-1.02F CLEAN AIR ACT AND CLEAN WATER ACT [7 CFR 3016 (i) (12)]**

Comply with all applicable standards, orders or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857 [h]), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15).

Incorporate this provision in any subcontract entered into as a result of this contract.

**Add section 7-1.02G:**

**7-1.02G ENERGY POLICY AND CONSERVATION ACT [7 CFR 3016.36 (i) (13)]**

Comply with mandatory standards and policies relating to energy efficiency, which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub.: 94-163, 89 Stat. 871).

Incorporate this provision in any subcontract entered into as a result of this contract.

**Replace item 1 of the 2nd paragraph of section 7-1.02K(2) with:**

1. At the County of El Dorado Community Development Agency, Transportation Division's principal office, and are available upon request.

**Add to section 7-1.02K(2)**

Comply with Division 2, Part 7, Chapter 1 of the California Labor Code.

This project is subject to the requirements of Title 8, Chapter 8, Subchapter 4.5 of the California Code of Regulations including the obligation to furnish certified payroll records directly to the Compliance Monitoring Unit under the Labor Commissioner within the Department of Industrial Relations Division of Labor Standards Enforcement in accordance with Section 16461.

Prior to the start of any work, post and maintain the following notice in a conspicuous location on the jobsite:

*"This public works project is subject to monitoring and investigative activities by the Compliance Monitoring Unit (CMU) of the Division of Labor Standards Enforcement, Department of Industrial Relations, State of California. This Notice is intended to provide information to all workers employed in the execution of the contract for public work and to all contractors and other persons having access to the job site to enable the CMU to ensure compliance with and enforcement of prevailing wage laws on public works projects.*

*The prevailing wage laws require that all workers be paid at least the minimum hourly wage as determined by the Director of Industrial Relations for the specific classification (or type of work) performed by workers on the project. These rates are listed on a separate job site posting of minimum prevailing rates required to be maintained by the public entity which awarded the public works contract. Complaints concerning nonpayment of the required minimum wage rates to workers on this project may be filed with the CMU at any office of the Division of Labor Standards Enforcement (DLSE).*

*Local Office Telephone Number: (916)-263-1811*

*Complaints should be filed in writing immediately upon discovery of any violations of the prevailing wage laws due to the short period of time following the completion of the project that the CMU may take legal action against those responsible.*

*Complaints should contain details about the violations alleged (for example, wrong rate paid, not all hours paid, overtime rate not paid for hours worked in excess of 8 per day or 40 per week, etc.) as well as the name of the employer, the public entity which awarded the public works contract, and the location and name of the project.*

*For general information concerning the prevailing wage laws and how to file a complaint concerning any violation of these prevailing wage laws, you may contact any DLSE office. Complaint forms are also available at the Department of Industrial Relations website found at: [www.dir.ca.gov/dlse/PublicWorks.html](http://www.dir.ca.gov/dlse/PublicWorks.html).*

Copies of the general prevailing rate of wages in the county in which the Work is to be done are also on file at the Department of Transportation's principal office, and are available upon request, and in case of

projects involving federal funds, federal wage requirements as predetermined by the United States Secretary of Labor have been included in the Contract Documents. Addenda to modify the Federal minimum wage rates, if necessary, will be issued as described in the Project Administration section of this Notice to Bidders.

In the case of federally funded projects, where federal and state prevailing wage requirements apply, compliance with both is required. This project is funded in whole or part by federal funds. Comply with Exhibit D of the Draft Agreement and the requirements of, and compliance with the Copeland Act (18 U.S.C. 874 and 29 CFR Part 3), the Davis-Bacon Act (40 U.S.C. 276a to 276a-7 and 29 CFR Part 5), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330 and 29 CFR Part 5).

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, Contractor and subcontractors must pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by Contractor and subcontractors, Contractor and subcontractors must pay not less than the federal minimum wage rate which most closely approximates the duties of the employees in question.

**Delete paragraphs 5 through 9 of section 7-1.02K(3).**

**Add to section 7-1.02K(3):**

Submit a copy of all payrolls weekly directly to the Compliance Monitoring Unit (CMU) within the Division of Labor Standards Enforcement of the Department of Industrial Relations, State of California. Submit copy of all payrolls within 10 days of any separate request by the CMU.

**Add to section 7-1.02K(4):**

It is County policy to encourage the employment and training apprentices on public works contracts as may be allowed under local apprenticeship standards.

**Add to section 7-1.02K(6)(b):**

Interpret "signature" to mean signed and stamped by a registered professional engineer in California.

The following excavations require the use of sheeting, shoring and bracing, or equivalent method rather than sloping the sides of the excavation:

<b>SHEET</b>	<b>STRUCTURE DESCRIPTION</b>	<b>APPROX. STATION</b>
P-2	36" Corrugated Steel Pipe	Santa Fe N pipe crossing
P-2	36" Corrugated Steel Pipe	San Diego E pipe crossing
P-4	18" HDPE Pipe	E San Bernardino to San Diego pipe crossing
P-6	24" perforated HDPE Pipe	Bakersfield to E San Bernardino pipe

Unless sloping the sides of the trench or excavation causes no disturbance to adjacent slopes and vegetation, does not increase pavement removal, does not disturb monuments, and does not extend beyond County right-of-way or ESA fence, you must shore or brace for all other trenches and excavations.

**7-1.02K(6)(b)(i) Payment**

The Department pays for preparing and submitting protection system shop drawings and installing, maintaining, and removing sheeting, shoring and bracing, sloping the sides of excavations, or equivalent

method for excavations 5 feet deep and greater. The Engineer has the discretion to reduce payment where the need for excavation protection is indicated on the Plans but not required in the field.

**Add to 13th paragraph of section 7-1.04:**

All haul/dump truck loads shall be covered securely during transport.

**Replace section 7-1.02M(2) with:**

**7-1.02M(2) Fire Prevention**

Cooperate with local fire prevention authorities in eliminating hazardous fire conditions.

Obtain the phone numbers of the nearest fire suppression agency, California Department of Forestry and Fire Protection (Cal Fire) unit headquarters, United States Forest Service (USFS) ranger district office, and U.S. Department of Interior (USDI) BLM field office. Submit these phone numbers to the Engineer before the start of job site activities.

Immediately report to the nearest fire suppression agency fires occurring within the project limits.

Prevent project personnel from setting open fires that are not part of the work.

Prevent the escape of and extinguish fires caused directly or indirectly by job site activities  
Locate flammable materials at least 50 feet away from equipment service, parking, and gas and oil storage areas. Each small mobile or stationary engine site must be cleared of flammable material for a radius of at least 15 feet from the engine.

Cal Fire, USFS, and BLM have established the following adjective class ratings for 5 levels of fire danger for use in public information releases and fire protection signing: low, moderate, high, very high, extreme. Obtain the fire danger rating daily for the project area from the nearest Cal Fire unit headquarters, USFS ranger district office, or BLM field office.

If the fire danger rating reaches very high:

1. Felling of dead trees or snags must be discontinued.
2. No open burning is permitted and fires must be extinguished.
3. Welding must be discontinued except in an enclosed building or within an area cleared of flammable material for a radius of 15 feet.
4. Blasting must be discontinued.
5. Smoking is allowed only in automobiles and cabs of trucks equipped with an ashtray or in cleared areas immediately surrounded by a fire break unless prohibited by other authority.
6. Vehicular travel is restricted to cleared areas except in case of emergency.

The Engineer may suspend work wholly or in part due to hazardous fire conditions. The days during this suspension are non-working days.

If field and weather conditions become such that the determination of the fire danger rating is suspended, section 7-1.02M(2) will not be enforced for the period of the suspension of the determination of the fire danger rating. The Engineer will notify you of the dates of the suspension and resumption of the determination of the fire danger rating.

**Replace section 7-1.05 "Indemnification" with:**

**7-1.05 INDEMNIFICATION**

Comply with Article 5 "Indemnity" of the Agreement.

**Replace section 7-1.06 "Insurance" with:**

**7-1.06 INSURANCE**

**7-1.06A GENERAL INSURANCE REQUIREMENTS**

County will not execute this Contract and you are not entitled to any rights, unless certificates of insurances, or other sufficient proof satisfactory to County of El Dorado Risk Management Division that the following provisions have been complied with, and these certificate(s) are filed with the County.

Without limiting your indemnification required by Article 5 "Indemnity" of the Draft Agreement, you must procure and maintain and must require any of your subcontractors to procure and maintain for the duration of the Contract, including the one-year guarantee period, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by you, your agents, representatives, employees or subcontractors. Coverage must be at least as broad as:

Workers' Compensation as required by law in the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than \$1,000,000 per accident for bodily injury or disease.

Commercial General Liability Insurance of not less than Four Million Dollars (\$4,000,000) aggregate limit and Two Million Dollars (\$2,000,000) combined single limit per occurrence for bodily injury and property damage, including but not limited to endorsements for the following coverage: Premises, personal injury, operations, products and completed operations, blanket contractual, and independent contractors liability. This insurance can consist of a minimum \$2 Million primary layer of CGL and the balance as an excess/umbrella layer, but only if the County is provided with written confirmation that the excess/umbrella layer "follows the form" of the CGL policy.

Automobile Liability Insurance of not less than One Million Dollars (\$1,000,000) is required in the event motor vehicles are used by the Contractor in performance of the Contract.

In the event Contractor is a licensed professional and is performing professional services under this Contract, Professional Liability Insurance is required with a limit of liability of not less than One Million Dollars (\$1,000,000).

Explosion, Collapse and Underground coverage is required when the scope of work includes XCU exposures. For the purpose of this Contract, XCU coverage is required.

**7-1.06B PROOF OF INSURANCE REQUIREMENTS**

Furnish proof of coverage satisfactory to the County of El Dorado Risk Management Division as evidence that the insurance required herein is being maintained. The insurance must be issued by an insurance company acceptable to the Risk Management Division, or be provided through partial or total self-insurance likewise acceptable to the Risk Management Division.

The County of El Dorado, its officers, officials, employees, and volunteers; agencies of the federal government, it's officers, officials, employees, and volunteers; the CTC, its officers, officials, employees, and volunteers; and the State, its officers, officials, employees, and volunteers must be included as additional insureds, but only insofar as the operations under this Contract are concerned. This provision applies to all general liability and excess liability policies. Proof that the County is named additional insured must be made by providing the Risk Management Division with a certified copy, or other acceptable evidence, of an endorsement to your insurance policy naming the County additional insured.

If you cannot provide an occurrence policy, provide insurance covering claims made as a result of performance of this Contract for not less than three (3) years following completion of performance of this Contract.

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer must reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor must procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Require each of your subcontractors to procure and maintain commercial general liability insurance, automobile liability insurance, and workers compensation insurance of the types and in the amounts specified above, or you must insure the activities of your subcontractors in your policy in like amounts. You must also require each of your subcontractors to name you and County of El Dorado, its officers, officials, employees, and volunteers as additional insureds.

#### **7-1.06C INSURANCE NOTIFICATION REQUIREMENTS**

You agree no cancellation or material change in any policy will become effective except upon prior written notice to the Community Development Agency, Contract Services Unit, 2850 Fairlane Court, Placerville, CA 95667.

You agree that the insurance required herein will be in effect at all times during the term of this Contract. If this insurance coverage expires at any time or times during the term of this Contract, you must immediately provide a new certificate of insurance as evidence of the required insurance coverage. If you fail to keep in effect at all times insurance coverage as herein provided, County may, in addition to any other remedies it may have, terminate this Contract upon the occurrence of this event. New certificates of insurance are subject to the approval of the Risk Management Division.

#### **7-1.06D ADDITIONAL STANDARDS**

Certificates must meet such additional standards as may be determined by the Department either independently or in consultation with the Risk Management Division, as essential for protection of the County.

#### **7-1.06E COMMENCEMENT OF PERFORMANCE**

You must not commence performance of this Contract unless and until compliance with every requirement of the insurance provisions is achieved.

#### **7-1.06F MATERIAL BREACH**

Failure to maintain the insurance required herein, or to comply with any of the requirements of the insurance provisions, constitutes a material breach of the entire Contract.

#### **7-1.06G REPORTING PROVISIONS**

Any failure to comply with the reporting provisions of the policies must not affect coverage provided to the County, its officers, officials, employees or volunteers.

#### **7-1.06H PRIMARY COVERAGE**

Your insurance coverage must be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees or volunteers will be in excess of your insurance and will not contribute with it.

#### **7-1.06I PREMIUM PAYMENTS**

The insurance companies will have no recourse against the County of El Dorado its officers, agents, employees, or any of them for payment of any premiums or assessments under any policy issued by any insurance company.

#### **7-1.06J CONTRACTOR'S OBLIGATIONS**

Your indemnity and other obligations are not limited by the insurance required herein and must survive the expiration of this Contract.

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## 8 PROSECUTION AND PROGRESS

**Replace item 2.1 of the list in the 3rd paragraph of section 8-1.02B(1) with:**  
Contract number and CIP number

**Replace item 8 of section 8-1.02B(2) with:**  
1. Start milestone date as Notice of Award letter date

**Replace the 1st and last sentences of the 1st paragraph of section 8-1.03 with:**  
At the Tahoe Engineering Office, 924B Emerald Bay Road, South Lake Tahoe, attend a pre-construction conference with key personnel, including all major superintendents for the work and major subcontractors. The pre-construction conference will be scheduled after the project is awarded and prior to the issuance of the Notice to Proceed. At this conference, submit in writing, signed by the officers of the corporation, if applicable, the names of two employees who will be the superintendents on the project. The second name serves as an alternate in the absence of the first designee. The superintendent must be on the site at all times that work is in progress.

With the exception of obtaining Department's authorization of the Storm Water Pollution Prevention Plan (SWPPP), or Water Pollution Control Program (WPCP), whichever is applicable, and preparing and obtaining Department's acceptance of the Critical Path Method (CPM) baseline schedule, any work performed in advance of the date stated in the Notice to Proceed is at your risk and as a volunteer. Submit a completed Subcontracting Request form, Exhibit 16-B of the Caltrans Local Assistance Procedures Manual (LAPM), or equivalent and obtain approval before beginning work on a subcontract. Comply with applicable parts of section 5-1.13B(1).

**Delete "Partnering" from the table in section 8-1.03.**

**Add to section 8-1.03.**  
You must attend weekly meetings to discuss construction issues and scheduling.

**Delete section 8-1.04B.**

**Replace "Reserved" in section 8-1.04C with:**  
The Department does not adjust time for starting before receiving notice of Contract approval.

The contract working days begin on the date stated in the Notice to Proceed. It is anticipated that Notice to Proceed will be issued in summer of 2017. Do not start any work prior to issuance of Notice to Proceed.

Do not start job site activities until the Department authorizes or accepts your submittal for:

1. Shoring and Excavation Plan in compliance with section 7-1.02K(6)(b).
2. CPM baseline schedule in compliance with section 8-1.02.
3. Name and Address of Authorize Representative.
4. Certificates of Compliance, including for Epoxy.
5. Winterization Plan in compliance with section 10-1.03.
6. Traffic Control Plan in compliance with section 12-1.01.
7. Driveway Access Plan in compliance with section 12-4.01.
8. Signed Endorsement and certification page from the SWPPP along with any proposed revisions in compliance with section 13-3.01A.

9. Temporary Erosion Control Plan in compliance with section 13-3.01B(1).
10. Dewatering Plan in compliance with section 13-4.01B
11. Spill Contingency Plan in compliance with section 13-4.03B.
12. Dust Control Plan in compliance with section 14-9.03A(2).
13. Receipt of steam cleaning of excavating and loading equipment when used in SEZ in compliance with sections 21-1.02F and 21-1.03M.
14. Job mix formula for asphalt concrete in compliance with section 39.
15. Shop drawings for corrugated steel pipe inlets and risers in compliance with sections 5-1.23 and 70-2.03.
16. Concrete mix design for all concrete work in compliance with sections 90-1.01C(6) and 90-2.01C.
17. Supply to the County sample of rock that will be used for Rock Slope Protection in compliance with color specified in section 72-2.02A.

You may enter the job site only to measure controlling field dimensions and locate utilities.

Do not start other job site activities until all the submittals from the above list are authorized or accepted and the following information is received by the Engineer:

1. Notice of Materials To Be Used form.

You may start work on submittals before issuance of the Notice to Proceed if you:

1. Obtain specified authorization or acceptance for each submittal.
2. Receive authorization from the Engineer to start.

Submit a notice 72 hours before starting job site activities. If the project has more than 1 location of work, submit a separate notice for each location.

**Replace the 1st paragraph of section 8-1.05 with:**

Contract time starts on the day specified in section 8-1.04C.

Contract working hours are between the hours of 8:00 a.m. to 6:30 p.m. unless otherwise authorized.

**Add to the end of section 8-1.06 as revised by the RSS:**

The Engineer may suspend work due to environmental permit restrictions and/or inclement weather.

During the suspension, the Department pays for winterization costs or costs associated with water pollution control within the County's project area under section 13-2.04 or 13-3.04, as applicable. The Department pays for any other contract work required to be performed within the County's project area during the suspension under the applicable bid item.

**Delete the revision made to section 8-1.10D in the RSS.**

**Replace section 8-1.13 "Contractor's Control Termination" with:**

Refer to Article 10 "Termination By County for Cause" of the Agreement.

**Replace section 8-1.14 "Contract Termination" with:**

Refer to Article 9 "Termination By County for Convenience" of the Agreement.



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## **9 PAYMENT**

### **Add to end of section 9-1.03:**

The Department pays 6 percent annual interest for the period of the retention for penalty withholds later determined not owed.

### **Delete "Replace "10" in the last paragraph of section 9-1.03 with:" in the RSS dated 1-23-15**

### **Replace the last paragraph of section 9-1.03 with:**

Pay your subcontractors within 7 days of receipt of each progress payment unless otherwise agreed to in writing (Bus & Prof Code § 7108.5). Violation of this section subjects you to the penalties, sanctions and other remedies of Bus and Prof § 7108.5. This section must not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to you in the event of a dispute involving late payment or nonpayment by you, deficient subcontract performance, or noncompliance by a subcontractor.

### **Replace section 9-1.07 with:**

#### **9-1.07 RESERVED**

### **Add to section 9-1.16A:**

You are required to submit Forms CEM-2404F "Monthly Disadvantaged DBE/UDBE Trucking Verification" and CEM-2406 "Monthly Disadvantaged Business Enterprise (DBE) Payment" by the 15th of each month to the Engineer."

### **Replace the last sentence of the 3rd paragraph of section 9-1.16E(2) with:**

These amounts are shown on the *Pay Estimate*.

### **Replace the last sentence of the 1st paragraph of section 9-1.16E(3) with:**

The documents include QC plans, required forms, schedules, traffic control plans, water pollution control submittals, and dust control submittals.

### **Add to the 1st paragraph of section 9-1.16E(3):**

If you fail to comply with water pollution control or dust control requirements, the Department withholds part of the progress payment.

### **Replace the 2nd paragraph of section 9-1.16E(4) with:**

Stop notice information may be obtained from the Engineer.

### **Replace the section 9-1.16F with:**

#### **9-1.16F Retentions**

##### **9-1.16F(1) General**

The Department will retain 5% of the value of each progress payment (excluding mobilization payments) from each progress payment. After the Engineer determines that the project is substantially complete, the Department may, at the Engineer's sole discretion, release half of all retention previously withheld and reduce any subsequent retentions withheld from subsequent progress payments to 2.5% of the value of any subsequent progress payments (excluding mobilization payments). The retained funds will be retained until thirty five (35) days after recordation of the Notice of Acceptance. (Pub Cont Code §9203) You may elect to receive one hundred percent (100%) of payments due under the Contract from time to time, without retention of any portion of the payment by the County, by depositing securities of equivalent value with the County (Pub Cont Code 22300). Securities eligible for deposit hereunder are limited to

those listed in Section 16430 of the Government Code, or bank or savings and loan certificates of deposit.

Funds retained from progress payments to ensure performance of the Contract that are eligible for payment into escrow or to an escrow agent pursuant to Section 22300 of the Public Contract Code do not include funds withheld or deducted from payment due to your failure to fulfill a contract requirement.

#### **9-1.16F(2) Prompt Payment of Retained Funds to Subcontractors**

Section 9-1.16F(1) describes retainage, acceptances, and release of retainage to you based on these acceptances. You and/or your subcontractor must return all monies withheld in retention from subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the Department. Any delay or postponement of payment over 30 days may take place only for good cause and with the Department's prior written approval (49CFR26.29). Violation of this section subjects you to the penalties, sanctions and other remedies of Bus and Prof § 7108.5. This section must not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to you in the event of a dispute involving late payment or nonpayment by you, deficient subcontract performance, or noncompliance by a subcontractor.

#### **Replace section 9-1.22 "Arbitration" with:**

#### **9-1.22 DISPUTES RESOLUTION**

As permitted by Public Contract Code section 20104, the County has elected to resolve any claims between you and the County pursuant to Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2 of the Public Contract Code. Sections 5-1.43 and 9-1.17 describe the contract claim procedure. The provisions of these sections constitute a non-judicial claim settlement procedure, and also step one of a two-step claim presentment procedure by agreement under Section 930.2 of the California Government Code. Specifically, step one is compliance with the contract claim procedure in accordance with the Contract Documents, including sections 5-1.43 and 9-1.17. Step two is the filing of a timely Government Code Section 910 et seq. claim in accordance with the California Government Code. Any such claim shall affirmatively indicate your prior compliance with the contract claim procedure and previous dispositions under sections 5-1.43 and 9-1.17. Any claim that fails to conform to the contract claim procedure required in step one may not be asserted in any subsequent Government Code Section 910 et seq. claim.

As a condition precedent to arbitration or litigation, claims must first be mediated. Mediation is non-binding and the services of a mediator mutually acceptable to the parties must be used and, if the parties cannot agree, a mediator will be selected by the American Arbitration Association from its panel of approved mediators trained in construction industry mediation. All statutes of limitations shall be tolled from the date of the demand for mediation until a date two weeks following the mediation's conclusion. The cost of mediation shall be equally shared by the parties.

If you fail to comply with these claim procedures as to any claim, then you waive your rights to this claim. County must not be deemed to waive or alter any provision of this section or sections 5-1.43 and 9-1.17 if, at County's sole discretion, County administers a claim in a manner not in accord with those provisions.

Your attention is directed to California Public Contract Code section 9204, which describes procedures for the resolution of claims on public works projects. Among other things, section 9204 requires the claimant to furnish reasonable documentation to support a claim, requires the public entity to respond to the claim within 45 days of receipt of the claim, and allows for the claimant to demand an informal meet and confer conference for settlement of the issues in dispute. For any portion of a claim that remains in dispute, section 9204 requires submission of the claim to nonbinding mediation. Additionally, section 9204 requires the public entity to make any payment due on an undisputed portion of the claim within 60 days of the public entity's written response and to pay interest at the rate of 7 percent per annum on any amounts not paid in a timely manner. The claims procedures described within the Contract Documents (including, but not limited to, Sections 5-1.43 and 9-1.17 of the Standard Specifications) are in addition to

[illegible]

Payment for any water conservation plan is included in the payment for various items of work.

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## **12 TEMPORARY TRAFFIC CONTROL**

### **Add to section 12-1.01:**

You must submit a Traffic Control Plan for review and approval. Your Traffic Control Plan must address each type of temporary traffic control system that will be used. Your Traffic Control Plan must include detailed controls, including flaggers, lane closures, PCMS boards, and signs, as applicable. Your Traffic Control Plan must include signing required on intersecting streets and driveways within the area that will require traffic control as required and must address traffic control related to access to driveways for all residences.

Submit your Traffic Control Plan as early as ten (10) working days after the receipt of the Notice of Award but no later than five (5) working days of receipt of Notice to Proceed. No work will start on County roads until the Traffic Control Plan is approved. Violation of the Traffic Control requirements is justification for the Engineer to stop work until the requirements are met.

### **Replace the 1st paragraph in section 12-1.03 with:**

The Department pays for all flagging costs under Traffic Control System.

### **Replace section 12-2 with:**

## **12-2 CONSTRUCTION PROJECT FUNDING SIGNS**

### **12-2.01 GENERAL**

Section 12-2 includes specification for installing construction project funding sign.

Construction project funding sign must comply with the details shown in the Supplemental Project Information.

Keep construction funding sign clean and in good repair at all times.

Do not add information to the construction funding sign unless authorized.

### **12-2.02 MATERIALS**

Construction project funding sign must be wood post signs complying with section 56-4.

### **12-2.03 CONSTRUCTION**

Install construction project funding sign at the location designated by the Engineer before starting major work activities visible to roadway users.

### **12-2.04 PAYMENT**

Not Used

### **Replace Item 1.3 of the 1st paragraph of section 12-3.01A(3) with:**

Contract number, CIP number, county, route and post mile of project limits or County Road name.

### **Replace section 12-3.12D with:**

The Department pays for portable changeable message sign under Traffic Control System.

**Replace the 2nd paragraph of section 12-4.01 with:**

Do not perform work that would require a closure.

**Add to section 12-4.01:**

Payment for accommodating bicyclists through a 1-way reversing traffic control work zone is included in the payment for traffic control system.

When entering or leaving roadways carrying traffic, your equipment, whether empty or loaded must in all cases yield to traffic.

Project-related vehicles will observe the posted speed limit on hard-surfaced road and 15 miles per hour speed limit on unpaved roads during travel in the project area.

Local and emergency traffic must be allowed to pass through construction zones at all times with as little inconvenience as possible. At the end of the day's work or if construction is suspended, roadways must be opened for traffic in both directions.

If work is in progress, at least one 10-foot minimum lane must be opened to traffic. Otherwise, two 10-foot lanes of traffic must be maintained.

You must provide access to driveways at all times. No driveways will be out of service unless arrangements are made with the property owner(s). Notify the County 48 hours in advance of work that will affect an owner's driveway. You must submit a plan that describes how you will provide operating driveways with no damage to the curb and gutter. Your Driveway Access Plan must be submitted for acknowledgment at least one (1) week before work affecting driveways.

Equipment actively engaged in construction must be confined to the work corridor marked by delineators spaced at 30-foot intervals, and will not be allowed to travel or encroach on the travel lane(s) used to convey local traffic through the project, unless traffic is controlled by an adequate number of flaggers.

As an alternative to the provisions of section 10-1, at the end of each working day, the edge of the excavations adjacent to the travel lane for aggregate base shoulder will be delineated with traffic cones or flexible delineators. Excavations for corrugated steel pipe inlets or drainage inlets not backfilled at the end of the work day must be covered with trench plates and delineated with traffic cones or flexible delineators and flashing barricades. You must not excavate more than can be installed and backfilled in one working day. If the backfill for the culvert installation is placed but not compacted by the end of the work day, the trench must be plated, or otherwise prepared to safely provide a minimum of two ten-foot travel lanes.

If traffic cones or delineators are used to delineate a temporary edge of travel lane, the line of cones or delineators will be considered to be the edge of travel lane, however, you must not reduce the width of the travel lane to less than 10 feet within County right-of-way without written approval.

If work is not in progress on a trench or other excavation that requires reduction or closure of the travel lane, the traffic cones or portable delineators used for the travel lane reduction or closure will be placed off of and adjacent to the edge of the traveled way. The spacing of the cones or delineators must be not more than the spacing used for the lane closure.

If rain or other causes, either within or beyond your control, forces delay of the work, you will in no way be relieved of your responsibility for maintaining traffic through the job site. You will at all times keep on the job site such material, force, equipment as necessary to keep the roads within the project open to traffic and in good repair, and must expedite the passage of traffic using such labor and equipment as may be necessary.

Personal vehicles of your employees must not be parked on the traveled way or shoulders, including sections closed to traffic. You must make your own arrangements relative to keeping the work area clear of parked vehicles, whether belonging to your employees or to private individuals.

The full width of the traveled way must be open to traffic when there are no active construction activities in the traveled way or within 6 feet of the traveled way and on:

1. Fridays after 3:00 p.m.
2. Saturdays
3. Sundays
4. Designated holidays

Designated holidays are shown in the following table:

**Designated Holidays**

Holiday	Date observed
New Year's Day	January 1st
Washington's Birthday	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veterans Day	November 11th
Thanksgiving Day	4th Thursday in November
Christmas Day	December 25th

If a designated holiday falls on a Sunday, the following Monday is a designated holiday. If November 11th falls on a Saturday, the preceding Friday is a designated holiday.

**Replace the RSS dated 7-19-13 for section 12-4.03 with:**

**12-4.03 CLOSURE SCHEDULE AND CONDITIONS**

**12-4.03A Closure Schedule**

Every Monday by noon, submit a closure schedule request of planned closures for the next week period. The next week period is defined as Sunday noon through the following Sunday noon.

Submit a closure schedule request not less than 5 days before the anticipated start of any activity that reduces:

1. Horizontal clearances of traveled ways, including shoulders, to 2 lanes or less due to activities such as temporary barrier placement and paving
2. Vertical clearances of traveled way, including shoulders, due to activities such as pavement overlays, overhead sign installation, falsework, or girder erection

Submit closure schedule amendments, including adding additional closures, by noon at least 3 business days before a planned closure.

Cancel closure requests at least 48 hours before the start time of the closure.

The Engineer may reschedule a closure cancelled due to unsuitable weather.

If a closure is not opened to traffic by the specified time, suspend work. No further closures are allowed until the Engineer has reviewed and authorized a work plan submitted by you that ensures that future closures will be opened to traffic by the specified time. Allow 2 business days for review of your proposed

work plan. The Department does not compensate you for your losses due to the suspension of work resulting from the late opening of closures.

Notify the Engineer of delays in your activities caused by:

1. Your closure schedule request being denied although your requested closures are within the specified time frame allowed for closures. The Department does not compensate you for your losses due to amendments to the closure schedule that are not authorized.
2. Your authorized closure being denied.

If you are directed to remove a closure before the time designated in the authorized closure schedule, you will be compensated for the delay.

#### **12-4.03B Contingency Plan**

Section 12-4.03B applies if a contingency plan is specified in the special provisions or if a contingency plan is requested.

If a contingency plan is requested, submit the contingency plan within 1 business day of the request.

The contingency plan must identify the activities, equipment, processes, and materials that may cause a delay in the opening of a closure to traffic. The plan must include:

1. List of additional or alternate equipment, materials, or workers necessary to ensure continuing activities and on-time opening of closures if a problem occurs. If the additional or alternate equipment, materials, or workers are not on site, specify their location, the method for mobilizing these items, and the required time to complete mobilization.
2. General time-scaled logic diagram displaying the major activities and sequence of planned operations. For each activity, identify the critical event when the contingency plan will be activated.

Based on the Engineer's review, additional materials, equipment, workers, or time to complete activities from that specified in the contingency plan may be required.

Submit revisions to a contingency plan at least 3 business days before starting the activity requiring a contingency plan. Allow 2 business days for review of the revised contingency plan.

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## **13 WATER POLLUTION CONTROL**

**Delete the paragraph added to section 13-1.01A of the RSS dated 11-15-13.**

**Add item 4 to the list in the 1st paragraph of section 13-1.03C**

4. Inspect sanitary and septic waste storage and monitor disposal procedures weekly.

**Replace the headings and paragraphs in section 13-3 with:**

### **13-3 STORM WATER POLLUTION PREVENTION PLAN**

#### **13-3.01 GENERAL**

##### **13-3.01A Summary**

Section 13-3 includes specifications for implementing a SWPPP for project where soil disturbance from work activities will occur as a result of this Project.

Implementation of a SWPPP includes implementing the SWPPP and correcting water pollution control practices.

Discharges of stormwater from the project must comply with the *National Pollutant Discharge Elimination System General Permit No. CAG616001 for Storm Water / Urban Runoff Discharges From El Dorado County, Placer County, and the City of South Lake Tahoe referred to herein as "Permit"*.

##### **13-3.01B Submittals**

###### **13-3.01B(1) General**

Reserved

###### **13-3.01B(2) Storm Water Pollution Prevention Plan**

###### **13-3.01B(2)(a) General**

The Department has prepared a storm water pollution prevention plan (SWPPP) and obtained permits from the RWQCB. After you have reviewed the SWPPP, sign the endorsement and certification page enclosed in the document and any amendments. Submit your signed endorsement and certification page as early as ten (10) working days after the receipt of the Notice of Award but no later than five (5) working days of receipt of Notice to Proceed. Submit your acknowledgment of amendments as they occur.

###### **13-3.01B(3) Temporary Erosion Control Plan**

###### **13-3.01B(3)(a) General**

You are to prepare and submit a Temporary Erosion Control Plan that includes the locations and descriptions of erosion control measures and daily clean up measures in compliance with federal, state, and local agency regulations, the Plans, the SWPPP, and these special provisions. You may use the temporary erosion control measures and details shown in preparing your Temporary Erosion Control Plan. However, your Plan will show specifically where filter fence, weighted fiber rolls or gravel-filled rolls, and gravel bags will be applied, where the tire wash and concrete wash areas will be located, and additional temporary erosion control required due to your method of operation or required to comply with TRPA and Lahontan permits. Your Temporary Erosion Control Plan will also detail specifically what temporary erosion control measures will be applied and where the temporary erosion control measures will be placed in areas used to store materials, equipment, and supplies. Temporary erosion control measures, their implementation, and maintenance must conform to the Plans and the provisions of the SWPPP. You will not propose or use alternative temporary erosion control measures unless the Contract Documents specify where and which alternatives may be used. Submit your Temporary Erosion Control Plan as early as ten (10) working days after the receipt of the Notice of Award but no later than five (5) working days of receipt of Notice to Proceed. Your Temporary Erosion Control Plan is subject to TRPA review and approval.



**Add to the end of section 13-3.01C(1):**

The qualifying rain event daily average must not exceed the NAL for pH.

The qualifying rain event daily average must not exceed the NAL for turbidity.

**Replace section 13-3.01C(4) with:**

**13-3.01C Quality Control and Assurance**

**13-3.01C(1) General**

The County will provide personnel to collect water quality samples as required by the permit.

**13-3.01C(4) Numeric Effluent Limits**

Water quality numerical effluent limits must comply with the following values:

**TRPA and Lahontan Water Quality Limits**

Constituent	Surface Waters		Infiltration Systems	
	Lahontan	TRPA	Lahontan	TRPA
Total Nitrogen as N	0.5 mg/l		5 mg/l	
Dissolved Nitrogen as N		0.5 mg/l		5 mg/l
Total Phosphate as P	0.1 mg/l		1 mg/l	
Dissolved Phosphate as P		0.1 mg/l		1 mg/l
Total Iron	0.5 mg/l		4 mg/l	
Dissolved Iron		0.5 mg/l		4 mg/l
Turbidity	20 NTU		200 NTU	
Suspended Sediment		250 mg/l		
Grease & Oil	2 mg/l	2 mg/l	40 mg/l	40 mg/l

Source: Storm Water Quality Improvement Committee document

Note: Surface Water values also apply to discharges to SEZs

The Engineer will take periodic turbidity readings of the effluent discharging from all filtering devices. If the effluent levels fall below the allowable limits listed above, you must take appropriate measures to bring the effluent levels within the allowable limits. These measures include removing deposited sediment from filter fencing, and other filter materials (e.g. weighted fiber rolls, gravel-filled rolls, rice straw fiber rolls, or corrugated steel pipe inlet sump) after each storm and cleaning or replacing filter materials. Sediment disposal must comply with section 14-10.01.

**Add to section 13-3.03A**

**13-3.03 Construction**

**13-3.03A General**

Continue SWPPP implementation during suspension of work activities.

If the Engineer determines that resources sufficient to bring you into compliance with section 13 have not been allocated, the Engineer may redirect any of your resources available at the project site toward this effort. If the Engineer redirects resources due to your non-compliance with the provisions of section 13, the County will not be responsible for any delays to your schedule resulting from the reallocation, and no compensation will be made for these delays.

**Replace item 2 in the 1st paragraph of section 13-3.04 with:**

2. A total of 100% percent of the item total in the Proposed Final Pay Estimate.

**Replace item 2 in the 2nd paragraph of section 13-3.04 with:**

2. A total of 100% percent of the item total in the Proposed Final Pay Estimate.

**Add to section 13-3.04:**

The Department pays for implementation of the SWPPP under the various specific bid items.

The Department does not pay for implementation of WPC practices in areas outside the highway right-of-way not specifically provided for in the plans or in the special provisions.

Unless the WPC practice is required under section 13-4, the Department pays for WPC practices under section 9-1.04, excluding travel and subsistence allowances paid to workers.

The Department does not pay for WPC practices that the Engineer determines are installed for the purposes of conveying runoff as part of maintaining adequate drainage described in Section 10-1.02.

If you find it necessary to use WPC practices not specified to achieve compliance with local, state, and federal water pollution control regulations, then implementation, maintenance, and removal of the unspecified WPC practices will be at your expense.

The Department does not pay for the cleanup, repair, removal, disposal, or replacement of water pollution control practices due to improper installation or your negligence.

The work to complete the final storm water annual report is excluded from section 5-1.46.

**Add to section 13-4.03B:**

You are to submit a Spill Contingency Plan in compliance with the information requested in Appendix B, Spill Contingency Plan, of the SWPPP within five (5) working days of receipt of Notice to Proceed.

**Add to section 13-4.03D(3):**

Temporary Concrete Washouts must comply with section 13-9.

**Replace 4th paragraph of section 13-4.03D(5) with:**

On-site storage of liquid waste containers will not be allowed.

**Add to section 13-4.03E(3):**

Washing tires of earth moving equipment and vehicles and washing of concrete equipment will be allowed only in the areas shown. Cleaning of vehicles or construction equipment for other purposes will not be allowed within the job site.

No vehicles or heavy equipment will be allowed in any SEZ, or wet area, except as authorized. All construction equipment authorized to work in or near SEZs must be steam cleaned before mobilization to the SEZ and maintained in clean and good working order with maintenance logs made available upon request.

Submit receipts for steam cleaning to the Department before mobilization to the SEZ, when applicable.

**Replace 5th paragraph of section 13-4.03F with:**

Disposal of materials removed from the sweeper must comply with section 14-10.01.

**Add to the 3rd paragraph of section 13-4.03F:**

3. 8 hours of predicted rain

**Replace item 3 of 4th paragraph of section 13-4.03G with:**

3. Discharge the water within the project limits. Dewatering effluent will be discharged from water truck(s) and applied to high land capability areas (Class 3, 4, 5, 6, 7, not SEZ = Class 1b) for dust

control, irrigation, or for use in tire wash areas. Dispose of the water if it cannot be discharged within the project limits due to site constraints or contamination.

**Add to section 13-5.01:**

Temporary soil stabilization provisions will be strictly enforced. It is your responsibility to determine the effect that temporary soil stabilization measures will have on construction activities, and to fully account for this effect in the bid price for the work.

Temporary soil stabilization must continue to be effective through the completion of work and must be maintained as required during the course of work.

Temporary soil stabilization measures must comply with TRPA's "Best Management Practices and Ordinances" and permits for this project, the RWQCB Board Order pertaining to the project, and the California Tahoe Conservancy requirements. Straw bales must not be used for temporary soil stabilization measures.

**A fine of \$100/day will be levied against you for each day you delay in responding to the Engineer's request to install new temporary soil stabilization devices and/or maintain existing temporary soil stabilization devices.**

**Add to section 13-5.02F:**

To contain sediment and control erosion in an emergency (such as a heavy rainstorm), you must have at the job site enough of the fabric or sheeting material to cover all spoils.

**Replace section 13-5.03L with:**

**13-5.03L Gravel-Filled Bags**

Gravel-filled bags must be repaired or replaced on the same day damage occurs. Damage to the gravel bag resulting from your vehicles, equipment, or activities will be repaired or replaced at your expense. Gravel-filled bags must be replaced if the bag material or roll material is ruptured or if the yarn has failed, allowing the gravel to spill out.

**Delete the 1<sup>st</sup> sentence of section 13-5.04 and replace the 2nd paragraph of section 13-5.04 with:**

The Department pays for temporary soil stabilization for stockpiles under Job Site Management. The Department pays for temporary soil stabilization for other than stockpiles under all bid items.

**Add to section 13-6.01:**

You must attend a pre-grade inspection meeting with TRPA before the start of any work, other than temporary sediment control installation. Temporary sediment control facilities as shown must be in place before any soil disturbance or excavation.

In addition to the temporary sediment control facilities shown, you must provide additional temporary sediment control facilities as necessary to prevent adverse water quality impacts.

Throughout the entire construction period you will be responsible for insuring that no material eroded from the work area leaves the job site via the conveyance system. You must provide adequate sediment barriers at storm drain pipe outlets, drainage inlets, and other collection points and provide adequate erosion control at channels and swales that have been graded but fabric or salvaged sod, as applicable, has not been installed.

Temporary sediment control measures must comply with TRPA's "Best Management Practices and Ordinances" and permits for this project, the RWQCB Board Order pertaining to the project, and the California Tahoe Conservancy requirements.

**A fine of \$100/day will be levied against you for each day you delay in responding to the Engineer's request to install new temporary sediment control devices and/or maintain existing temporary sediment control devices.**

**Add to section 13-6.02A:**

Sediment barriers must comply with the details shown and include weighted fiber rolls, gravel-filled bags or gravel-filled rolls, modified reinforced silt fence, and rice straw fiber rolls. Straw bales must not be used for temporary sediment control measures.

Sediment control at swales and channels must comply with the detail shown and consist of 6 mil polyethylene plastic sheeting held in place with gravel bags or gravel-filled rolls.

Gravel-filled rolls must be wrapped in woven high-density polyethylene with heat welded seams and must contain 1/4 inch gravel.

Remove temporary sediment control measures only if all permanent structural and permanent erosion control measures have been implemented and, if applicable, approval by TRPA is obtained.

Ground disturbance, including holes and depressions, caused by the installation and removal of the temporary erosion control measures must be backfilled and compacted.

**Replace 1st paragraph of section 13-6.03C with:**

Provide temporary drainage inlet protection around CSP inlets and drainage inlets as changing conditions require. Drainage inlet protection must be Type 2, Type 3A, or a combination, as appropriate for conditions around the drainage inlet. Weighted fiber rolls are a suitable substitute for gravel filled bags.

**Add to section 13-6.03E:**

Temporary rice straw fiber rolls must be repaired or replaced on the same day damage occurs. Damage to the temporary fiber rolls resulting from your vehicles, equipment, or activities will be repaired at your expense. If replacement of temporary rice straw fiber rolls is required due to your vehicles, equipment, or activities, replacement will be at your expense.

**Add to section 13-6.03H:**

Temporary reinforced silt fence must be Type 2 with steel post. Omit anchor and guy wire.

TRPA or Lahontan may require that temporary reinforced silt fence be used at additional locations.

Areas where you temporarily stockpile excavated materials may require reinforced silt fence for temporary sediment control.

Temporary reinforced silt fence must be removed after construction is completed.

Temporary reinforced silt fence must be repaired or replaced on the same day damage occurs. Damage to the silt fence resulting from your vehicles, equipment, or activities will be repaired or replaced at your expense.

**Replace section 13-6.03K with:**

**13-6.03K Weighted Fiber Rolls and Gravel-Filled Rolls**

Install weighted fiber rolls and gravel-filled rolls under section 13-10.03J.

**Replace section 13-6.03L with:**

**13-6.03L Polyethylene Sheeting**

Install polyethylene sheeting under section 13-10.03K.

**Replace section 13-6.03M with:**

**13-6.03M Disposal**

Disposal of material removed from temporary erosion control devices during maintenance must comply with section 14-10.02.

**Replace section 13-6.04 with:**

The Department pays for temporary sediment control under the various specific bid items. Payment quantity for Temporary Reinforced Silt Fence, and Temporary Fence (Type ESA) does not include overlap. Disposal of material removed during maintenance of the temporary erosion control devices is paid for under Job Site Management.

**Replace “Reserved” in section 13-7.02D with:**

**13-7.02D Temporary Fiber Rolls**

Temporary rice straw fiber rolls must be at least eight inches in diameter and be an Earth Savers wattle as manufactured by R.H. Dyck, Inc. or Rice Straw Fiber Roll as manufactured by Kristar or approved equal. Wood stakes for securing rice straw fiber rolls must be untreated fir, redwood, cedar, or pine, cut from sound timber, and must be straight and free of loose or unsound knots and other defects which would render them unfit for the purpose intended.

**Replace “Reserved” in section 13-7.02E with:**

**13-7.02E Weighted Fiber Rolls and Gravel-Filled Rolls**

Weighted fiber rolls or gravel-filled rolls must be a minimum length of 5 feet.

Weighted fiber rolls must be eight inches in diameter and consist of a machined mat or blanket of shaved aspen wood curled excelsior with a weighted inner core contained in a photodegradable, extruded, high visibility netting tube with a handle on each end. Eighty percent of the excelsior material must consist of fibers at least 6 inches in length. The fiber roll must be contained in a tubular orange-colored netting knotted at each end made from 85% high-density polyethylene and 14% ethyl vinyl acetate with titanium oxide for UV inhibition.

**Replace “Reserved” in section 13-7.02F with:**

**13-7.02F Polyethylene Sheeting**

Polyethylene sheeting must be 6 mil polyethylene.

**Add to section 13-7.03D:**

Tracking control applies to streets within the job site area as well as streets adjacent that have the potential to be impacted by tracking from the work.

**Replace section 13-7.04 with:**

The Department pays for street sweeping under Street Sweeping.

**Replace section 13-9.04 with:**

The Department pays for temporary concrete washouts and material disposal under Job Site Management.

**Replace first paragraph of section 13-10.02B with:**

Fiber rolls will be Type B in compliance with section 21-1.02P, except wheat straw will not be accepted.

**Replace “Reserved” in section 13-10.03J with:**

**13-10.03J Weighted Fiber Rolls and Gravel-Filled Rolls**

Weighted fiber rolls or alternatively, gravel-filled rolls will be used only in areas of compacted soil, concrete, or paved surfaces. The spacing intervals as shown must be maintained and new sections of weighted fiber rolls or gravel-filled rolls added as the installations of these improvements progress.

In addition to placement at the specified spacing intervals, you will place weighted fiber rolls or gravel-filled rolls at the location where each installation is temporarily discontinued. This section of weighted fiber rolls or gravel-filled rolls will be reused to satisfy the specified intervals once the installation that had been temporarily discontinued is completed. However, payment for the installation and maintenance of this section of weighted fiber rolls or gravel-filled rolls will be made only once. The configuration for the use of weighted fiber rolls or gravel-filled rolls at the sawcut areas is intended to filter sediment from runoff before the runoff enters inlets.

Areas where you store equipment or material on pavement may require the use of weighted fiber rolls or gravel-filled rolls. If a section of weighted fiber rolls or gravel-filled rolls is used in storage/staging more than once, or reset at a single location more than once, payment for installation and maintenance will be made only once.

Weighted fiber rolls or gravel-filled rolls must be maintained to disperse concentrated water runoff and to reduce runoff velocities. Split, torn, or unraveling rolls must be repaired or replaced. Locations where rills and other evidence of concentrated runoff have occurred beneath the rolls must be corrected. Weighted fiber rolls or gravel-filled rolls must be repaired or replaced on the same day damage occurs. Damage to the temporary fiber rolls resulting from your vehicles, equipment, or activities will be repaired at your expense. If replacement of weighted fiber rolls or gravel-filled rolls is required due to your vehicles, equipment, or activities, replacement will be at your expense.

**Replace "Reserved" in section 13-10.03K with:**

**13-10.03K Polyethylene Sheeting**

Temporary polyethylene plastic sheeting will be weighted with gravel-filled bags or gravel-filled rolls. Temporary polyethylene plastic sheeting with gravel-filled bags or gravel-filled rolls will be placed in channels along the entire length of the channel after grading is completed when the rolled erosion control product or geosynthetic mat cannot be placed in the channel immediately after that section of channel is graded, unless Engineer determines that the interim use of visqueen sheeting weighted with gravel bags or gravel-filled rolls is unnecessary due to weather reports.

**Replace section 13-10.04 with:**

The Department pays for temporary linear sediment barriers for stockpiles under Job Site Management.

The Department pays for temporary linear sediment barriers for other than stockpiles under various specific bid items.

If temporary polyethylene plastic sheeting with gravel-filled bags or gravel-filled rolls is required for use in excavated channels it will be paid for as change order work.

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## **14 ENVIRONMENTAL STEWARDSHIP**

**Add to section 14-1.02A:**

You must provide protection for roots over 1-1/2 inch diameter cut during construction activities. Coat cut faces with emulsified asphalt or other acceptable coating formulated for use on damaged plant tissue. You must temporarily cover exposed roots with wet burlap to prevent roots from drying out and cover with earth as soon as possible. You must repair or replace trees and vegetation shown to remain which are damaged by construction activities. Repair or replacement will be at your expense and in a manner acceptable to the Engineer.

**Delete 3rd paragraph of section 14-1.03A(1).**

**Add to section 14-1.03A(1):**

You will perform construction activities outside the road right-of-way within the construction limits staked by the Engineer and delineated with Type ESA temporary fence installed by you.

The area within which you will be working will be within the limits of the Type ESA temporary fence. At trees, the width of the work area may be reduced to protect the trees. You will review each such location to determine what equipment can be used to install the improvements at these locations or if hand work will be necessary.

**A fine of \$100/day will be levied against you for each day you delay in responding to the Engineer's request to install new temporary erosion control devices and/or maintain existing temporary erosion control devices.**

If tree protection fencing cannot be placed at the dripline of the tree, wooden tree trunk protection described in section 14-1.04 will be installed.

Type ESA temporary fence will remain in place until equipment access is no longer necessary in the area and TRPA approval is obtained.

**Replace section 14-1.04 with:**

**14-1.04 WOOD TREE TRUNK PROTECTION**

**14-1.04A General**

Trees as marked within work areas will require wooden tree trunk protection.

**14-1.04B Materials**

The materials for wooden tree trunk protection are as shown.

**14-1.04C Construction**

For trees within the work area, tree trunks will be wrapped with wooden tree trunk protection as shown.

The 2"x4"x8' wooden boards are to be tied together by wire or rope laced through staples attached to boards. Wooden fence must be bound to tree with wire or rope at three locations minimum. Type ESA temporary fence material must be wrapped around the tree trunk before wrapping the wooden boards around the trunk.

Boards for wooden tree trunk protection must not be nailed to trees.

**A fine of \$100/day will be levied against you for each day you delay in responding to the Engineer's request to install new temporary erosion control devices and/or maintain existing temporary erosion control devices.**

Wooden tree trunk protection will remain in place until equipment access is no longer necessary in the area and TRPA approval is obtained.

**14-1.04D Payment**

The Department pays for wooden tree truck protection under Temporary Fence (Type ESA)(Tree Trunk Protection).

**Replace section 14-8.02A with:**

The maximum allowable noise for exposure for work is identified in Chapter 68: Noise Limitations in the TRPA Code of Ordinances.

The noise level requirements apply to the equipment on the job or related to the job measured at the affected building facade, including trucks, transit mixers or transient equipment that you may or may not

own. Avoid the use of loud sound signals in favor of light warnings except those required by safety laws for the protection of personnel.

In the interest of the public safety and/or public convenience, the allowable noise levels may be waived. Implement appropriate additional noise mitigation measures, including changing the location of stationary construction equipment, shutting off idling equipment, rescheduling your activity, notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources such that noise from construction does not exceed the limits specified above. If the existing background noise levels exceed the values above, then the limit for construction noise may be increased from the background noise level by the same percentage that the background noise level exceeds the values above.

**Add to section 14-9.02:**

Comply with applicable State and County Air Quality Management District (AQMD) rules and regulations regarding reduction of construction related impacts on air quality, including the implementation of the following measures:

- Use low-emission onsite mobile construction equipment.
- Maintain equipment in tune per manufacturer's specifications.
- Retard diesel engine injection timing by two to four degrees unless not recommended by manufacturer (due to lower emission output in-place).
- Use reformulated low-emission diesel fuel.

Substitute electric and gasoline-powered equipment for diesel-powered equipment when possible.

- Use catalytic converters on gasoline-powered equipment.
- Do not leave inactive construction equipment idling for prolonged periods (i.e., more than 2 minutes).
- Support and encourage ridesharing and transit for the construction workers.
- All construction vehicles and equipment must be fitted with working mufflers.

**Replace section 14-9.03 with:**

**14-9.03 DUST CONTROL**

**14-9.03A GENERAL**

**14-9.03A(1) Summary**

Section 14-9.03 includes specifications relating to dust control.

Provide an acceptable plan for preventing the generation of dust due to your activities in construction zones, along haul or traveled routes, or in equipment parking zones. Your Dust Control Plan and daily dust control activities will not conflict with requirements of any agency having jurisdiction in the project area. You are required to have a water truck at the job site at all times during construction.

In the event the control of dust is not satisfactory to the Engineer, the Engineer will take measures as necessary to insure satisfactory salvage and will deduct the cost of those measures from payments due you.

**Dust control is a temporary erosion control measure or BMP. A fine of \$100/day will be levied against you for each day you delay in responding to the Engineer's request to implement this temporary erosion control measure.**

You will post a publicly visible sign at the staging areas shown. The sign will contain the telephone number and name of person to contact for complaints and/or inquiries on dust control and other air quality problems resulting from construction activities.



**14-9.03A(2) Submittals**

You are to prepare and submit a Dust Control Plan that includes daily clean up measures that comply with federal, state, and local agency regulations, the Plans, the SWPPP, and these special provisions. Submit your Dust Control Plan as early as ten (10) working days after the receipt of the Notice of Award but no later than five (5) working days of receipt of Notice to Proceed.

**14-9.03B Materials**

Not Used

**14-9.03C Construction**

Control dust using measures that include the following:

1. Stabilize unpaved areas subject to vehicular traffic by keeping adequately wetted, or covered with material that contains less than 0.25 percent asbestos.
2. The speed of vehicles and equipment traveling across unpaved areas must not be more than 15 mph unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment going faster from causing dust that is visible from crossing job site limits.
3. Stockpiles and disturbed areas not subject to vehicular traffic must be located in the plan and stabilized by being kept adequately wetted, or covered with material that contains less than 0.25 percent asbestos.
4. Conduct activities so that no dirt or mud tracking is visible on any paved roadway open to the public.
5. Use rock track out pads and wheel wash stations at all points of egress from unpaved construction areas.
6. Use a dedicated water truck for each piece of earthmoving equipment (e.g., scrapers, dozers, excavators, loaders, haul trucks, backhoes, compactors, graders, etc).
7. Pre-wet excavations to depths of cuts.
8. Water exposed soil twice daily, or as needed, to control wind borne dust.

Dust control measures that will be required to mitigate dust may impact your productivity during construction activities.

**Replace section 14-9.03D with:**

**14-9.03D PAYMENT**

The Department does not pay for impacts to your productivity from mitigating dust from your activities.

**Replace section 14-10.02 with:**

**14-10.02 SOLID WASTE DISPOSAL AND RECYCLING**

Prior to commencement of construction prepare and obtain County approval of Solid Waste Diversion and Recycling Plan that complies with County Ordinance Chapter 8.43 "Construction and Demolition Debris Recycling Within El Dorado County" that demonstrates the diversion and recycling of salvageable and re-useable wood, metal, plastic, and paper products during construction.

AA

**15 EXISTING FACILITIES**

**Add to section 15-1.01:**

Asphalt concrete and concrete must be disposed of outside the Lake Tahoe Basin. Asphalt concrete and concrete may be disposed of in the Lake Tahoe Basin providing you obtain and submit approvals from all applicable state, local, and federal agencies.

**Add to 4th paragraph of section 15-1.01:**

If existing facilities such as sprinklers or irrigation lines could be damaged by the work, you are to notify the property owner of your intended schedule so they have sufficient time to disconnect and remove those facilities.

**Add to 2nd paragraph of section 15-2.02B(1) of the RSS dated 07-19-13:**

Asphalt concrete sawcut limits as shown include the 12-inch "T" patch on each side of pipe trenches. Sawcut to these limits just before final paving of the pipe trench.

**Replace 3rd and 4th paragraphs of section 15-2.02B(2) with:**

For pavement removal, obliterate by rooting, plowing, or scarifying to the bottom of the aggregate base or, if there is no base material, to the depth of the asphalt. Remove the loosened road materials and scarify the native material to a depth of 6 inches.

Grade the area so that it blends with the surrounding terrain but leave a roughened, uneven surface; compact the native material 85 to 90 percent relative compaction.

Following compaction of the native material, place and compact a minimum 3 inches of topsoil mix and complete revegetation efforts as shown. Topsoil mix will comply with section 21-1.02D. Mulch and tackifier will comply with sections 21-1.02E and 21-1.02F.

**Replace 1st sentence of the 1st paragraph of section 15-2.02B(4)(a) with:**

Remove the subbase, base, and bituminous surfacing to the subgrade depth of the proposed structural section. Preparation of subgrade will comply with section 19-5.03C.

**Add to section 15-2.02B(4)(b) :**

For a given location where new improvements are being constructed, payment for the removal of subbase, base, and bituminous surface is included in the cost for the improvement being constructed in the Bid Item List that corresponds to that given location.

Payment for work associated with the Arapahoe bulb pavement removal includes sawcutting and removal of AC pavement, scarifying, grading, aggregate base shouldering, topsoil placement, and compaction. Payment for mulch and tackifier are paid under those specific bid items.

**Delete the 3rd paragraph of section 15-2.02B(5)(a) from the RSS dated 7-19-13.**

**Replace "Reserved" in section 15-2.02B(7) of the RSS dated 07-19-13 with:**

The Department pays for sawcutting under the specific bid items.

**Replace 3rd paragraph of section 15-2.02K with:**

Salvage drainage inlet frames, grates, and hoods.

Salvage CSP inlet grates and trash racks.

Salvage steel flared end sections.

**Replace "Reserved" in section 15-2.03A(2)(b) with:**

The Department's salvage location is the Corporation Yard at 1121 Shakori Drive, South Lake Tahoe, California. Coordinate timing and drop location with the Department's staff.

**Replace "Reserved" in section 15-2.03A(4) with:**

The Department pays for salvaging the frames, grates, and hoods under the type of Corrugated Steel Pipe Inlet installed.

**Add to section 15-2.05A:**





## **19 EARTHWORK**

**Replace section 19-1.02 with:**

### **19-1.02 MATERIALS**

#### **19-1.02A General**

Articulated Concrete Block will comply with section 51-7.

Rolled Erosion Control Product will comply with section 21-1.02O(1).

Rock for Rock Lined Channel will comply with section 72.

**Add to section 19-1.04 with:**

Payment for sawcutting, removal of AC pavement, aggregate base shouldering, and compaction on Sheets P-5 and Sheet P-6 is paid under the Ditch Excavation (Blanket Lined Channel) item.

**Add to section 19-1.03B with:**

All unsuitable material must be removed from the Tahoe Basin in compliance with section 14-10.01.

**Add to section 19-3.02D:**

Submit a certificate of compliance within ten (10) working days of the Contract start date or within three (3) working days before the slurry cement is to be used, whichever is sooner.

**Add to 1st paragraph of section 19-3.03B(1):**

4. Salvaging and stockpiling salvaged soil for topsoil mix.

**Replace 7th paragraph of section 19-3.03D with:**

If rock is encountered in the bottom of a pipe trench or corrugated steel pipe inlet excavation, you will immediately notify the Engineer. If the design cannot be modified and the removal of the rock is necessary, the following will apply:

If a point load on the pipe is created by the rock, the rock will be removed to a depth of 6 inches below the trench bottom and the 6 inches will be backfilled with Class 3 permeable material.

If rock is encountered at the bottom of the excavation for an open bottom corrugated steel pipe inlet and infiltration could be achieved if the rock were removed, the rock will be removed and the void backfilled with Class 3 permeable material. Alternatively, the Engineer may allow you to install a sealed base over the rock for the corrugated steel pipe inlet.

Payment for excavating and backfilling below the planned elevation of the bottom of the pipe trench or corrugated steel pipe inlet and the rock removal and disposal will be included in the applicable bid item, unless the rock removal meets the criteria for payment under section 19-4.

**Replace 1st paragraph of section 19-3.03E(1) with:**

Place structure backfill in uniform layers. Bring backfill up uniformly on all sides of structures. Backfill layers must be at most 8 inches thick before compacting. Compaction by ponding and jetting is not allowed.

**Delete 5th paragraph of section 19-3.03E(1).**

**Replace section 19-4 with:  
19-4 ROCK EXCAVATION**

**19-4.01 GENERAL**

**19-4.01A Summary**

You are advised that hard non-rippable rock exists that will require alternative excavation techniques, including the use of hydraulic rock breaking equipment, coring (for drilling operations), and/or chemical splitting agents.

Any rock that prohibits the proposed function of improvements or prohibits the installation of improvements to the grades shown and that can't be removed after a reasonable effort with the equipment being used on the job site will be fractured and removed.

The following illustrates the minimum effort that can reasonably be expected from you if rock is encountered and must be removed:

Should you have larger equipment on site, you must make a reasonable effort with the larger equipment to remove the rock and compensation will not be made under this bid item but be included in the item for which the rock was encountered.

**19-4.02 MATERIALS**

Not Used

**19-4.03 CONSTRUCTION**

You must notify the Engineer immediately if rock is encountered that meets the definition described in section 19-4.01A. The Engineer will consider whether the lines and grades can be adjusted to avoid fracturing and removing the rock. If the Engineer determines adjustments are not possible, and that the rock meets the definition described, and that you have made a reasonable effort to remove, fracture and remove, or scrape and remove the rock with the minimum equipment specified above, then the removal and disposal of the rock will be performed with the following methods:

You may use hydraulic splitters, pneumatic hammers, or other authorized roadway excavation techniques to fracture rock and construct stable final rock cut faces. Blasting is not allowed.

If a cracking agent is used, the cracking agent must be soundless chemical demolition agent such as Bentonamit or Fract.Ag, or approved equal. The non-detonating rock breaking equipment must be Boulder Buster, NoneX, or an approved equal.

Fracture the rock in compliance with the manufacturer's instructions.

You are responsible for any damage to persons, private property, the work, existing structures, or utilities.

You and the Engineer will agree to the number of cubic yards of rock fractured and removed immediately after the removal of the rock from the excavation.

If the fractured rock cannot be used in the construction of other improvements, it is considered unsuitable material and must be disposed of in compliance with section 14-10.01.

The void created by the rock removal will be backfilled in compliance with section 19-3.03D.

Comply with section 12.

**19-4.04 PAYMENT**

Payment for rock excavation is included in the payment for the bid item that necessitates the rock excavation.

**Add to section 19-5.01A:**

The Department will, at its expense, except as noted in section 6-3, provide compaction testing to verify that you have achieved the required compaction.

Relative compaction will be based on the maximum dry unit weight as determined by ASTM D1557. Corrections to the Unit Weight for Soil Containing Oversize Particles will comply with ASTM 4718.

Compaction testing will be performed on subgrade, fill, backfill, topsoil mix, and, if applicable, permeable material. You will provide a 24-hour notice to the Engineer stating when you will be completed with an activity that requires compaction testing to allow the Engineer time to schedule testing before you start the next activity. The Department will make every effort to collect native samples and to provide moisture-density curves in a timely manner. However, should you choose to proceed with the work before compaction criteria for native soil or fill material can be verified, you assume the risk of having to remove this work at your expense if subgrade compaction is later found to be inadequate.

All compaction will be accomplished with mechanical compaction.

Subgrade, fill, or backfill that exhibits pumping will not be accepted.

**Add to section 19-5.03B:**

The void resulting from the removal of unsuitable material will be backfilled with Class 3 permeable material and compacted to a minimum relative compaction of 95%, except if unsuitable material is overexcavated from the bottom of a sediment basin. In this case a maximum of 90% relative compaction and a minimum of 85% relative compaction will be required.

**Add to section 19-5.03C:**

With the exception of perforated pipe trenches and CSP inlets, areas where asphalt concrete, Portland cement concrete, aggregate base, Class 1 Type B and Class 3 permeable material, fill, backfill, or Class No. 1 rock is to be placed over native material, the native material will be scarified a minimum of 6 inches, thoroughly mixed with water to the optimum moisture for compaction, and compacted to a minimum of 90% relative compaction before placement of fill or other material.

All fill and backfill using native material or excess excavated material will be thoroughly mixed with water to the optimum moisture for compaction. Lifts will be a maximum of 8 inches thick, loose, before compaction. Unless otherwise specified, fill and backfill will be compacted to a minimum relative compaction of 90%. These provisions also apply to imported fill or backfill.

If undisturbed native material becomes disturbed during excavation, the native material will be scarified a minimum of 6 inches, thoroughly mixed with water to the optimum moisture for compaction, and compacted to a minimum of 90% relative compaction before placement of fill or other material as shown.

Permeable material to be placed over native material will be compacted to a minimum of 90% relative compaction. The void created by rock removed from the bottom of a pipe trench or corrugated steel pipe inlet excavation will be backfilled with Class 3 permeable material and compacted to 90% relative compaction. Compaction of permeable material will be verified by an established method agreed upon by you and the Engineer.

The void created by stump removal, culvert removal, or rock removal will be filled with native material and compacted to a minimum of 90% relative compaction. Other material may be approved if suitable for the location relative to the improvements.

The mixture of salvaged soil and humus (i.e. topsoil mix) will be compacted to a maximum of 90% relative compaction and a minimum of 85% relative compaction. Compaction of topsoil mix will be verified by an established method agreed upon by you and the Engineer.

Section 19-7 includes specifications for obtaining local and imported borrow material.

You will notify the Engineer of the imported borrow site location 72 hours before you pick-up the material.

**Add to section 19-7.02A:**

3. Imported borrow will be a silty sand material designated by SM in the Unified Soil Classification System (USCS).

[illegible]

## 20 LANDSCAPE

**Add section 20-16:**

## 20-16 GROUND COVER RESTORATION

## 20-16.01 GENERAL

## 20-16.01A Summary

This section applies to sod salvage and transplant and restoration before and after the work performed on USFS parcel APN 034-221-08 (Sheet P-3), work near the San Diego St pipe crossing (Sheet P-4), CTC parcel APN 034-791-01 (Sheet P-5), CTC parcel APN 034-215-08 (Sheet P-7), and USFS parcel APN 033-581-03 (Sheet P-8).

## 20-16.01B Materials

Not Used

## 20-16.01C Construction

Before performing the work to construct the Santa Fe Rd (Sheets P-1 and P-2), Arapahoe St (Sheets P-3 and P-10), San Diego St (Sheet P-4), Bakersfield St (Sheet P-5), Sioux St (Sheet P-7), and Country Club Dr (Sheet P-8), you will salvage the sod as shown.

The limits of salvage will be based on the minimum disturbance required for excavation for the new improvements.

Sod will be salvaged immediately before construction of the various items of work.

Sod to be salvaged will be irrigated before removal. The root zone and soil will be moist from the surface to a depth of 4 inches below the surface. Sod will be removed with a sod cutter with clean, straight edges and have a uniform thickness between 2 to 3 inches. Cut sod in as large a length and width as possible. Salvaged sod will be stored near the improvement where it is to be transplanted or in an approved location. Salvaged sod must be stored no longer than 72 hours in a cool location away from sun and heat. Store the sod flat over wetted burlap on bare soil. Cover the edges and top with wetted burlap within 30 minutes of storage. Protect the cut edge of the sod left in place with wetted burlap or soil. Water lightly. You will be responsible for providing enough moisture to the stored sod and the cut edge of the sod left in place during the interim storage period.

As soon as the work is completed such that the sod can be transplanted, backfill the existing channel with compacted native material to 8 inches below adjacent natural ground. Over the native material, place and compact amended topsoil suitable for sod to 2 inches of the top of natural ground. Saturate to a minimum depth of 4 inches before transplanting the sod.



Sod will be placed level with the adjacent ground. Sod will be firmly tamped or rolled after placement to eliminate air pockets between the prepared surface and the roots. The sod must be thoroughly irrigated immediately after placement.

**20-16.01D Payment**

Salvaging and transplanting the sod near the work on Santa Fe Rd (Sheets P-1 and P-2), Arapahoe St (Sheets P-3 and P-10), San Diego St (Sheet P-4), Bakersfield St (Sheet P-5), Sioux St (Sheet P-7), and Country Club Dr (Sheet P-8) are paid for under the respective items of work.

AA

**21 EROSION CONTROL**

**Replace section 21-1.02D with:**

**21-1.02D Topsoil Mix**

Topsoil mix consists of a blend of salvaged soil and humus. Following clear and grub, you will excavate and stockpile the excess native soil and undecomposed plant material from the drainage inlets, pipes, trenches, and corrugated steel pipe inlets. Imported material must comply with section 19-7.

The humus will consist of an amendment that is the result of an aerobic composting process maintaining temperatures greater than 135 degrees Fahrenheit and less than 165 degrees Fahrenheit, for a minimum of ten (10) days. Nitrogen introduction will be derived from dairy manure. The compost feedstock must consist of a minimum of 50% by volume indigenous forest vegetation from the Lake Tahoe Basin. The humus must be 50% Humus Fines (3/8 inch minus) and 50% wood "overs" (3/8 inch to 3 inch). Full Circle Compost (humus is called "Integrated 50%") in Minden, NV, and Tahoe Sand and Gravel in South Lake Tahoe, CA, produce a humus that complies with these specifications.

Submit a certificate of compliance for the humus and certification that the humus is weed free.

**Replace section 21-1.02E with:**

**21-1.02E Mulch**

The mulch must be the product of an aerobic composting process maintaining temperatures greater than 130 degrees Fahrenheit and less than 165 degrees Fahrenheit for a minimum of ten (10) days. Nitrogen introduction will be derived from dairy manure. The compost feedstock must consist of a minimum of 50% by volume indigenous forest vegetation from the Lake Tahoe Basin. The resulting finished compost must consist of 75% wood "overs" (from 3/8 inch to 3 inch in size) and 25% humus (fines) (3/8 inch minus). Full Circle Compost (Mulch is called "Integrated 25%") in Minden, NV, and Tahoe Sand and Gravel in South Lake Tahoe, CA, produce a mulch that complies with these specifications.

You must notify the Engineer of the proposed location of the source of imported humus 72 hours before you plan to pick-up the material so the Engineer can verify the suitability of the material.

Submit a certificate of compliance for the mulch and certification that the mulch is weed free.

**Replace section 21-1.02F with:**

You will apply tackifier to all areas where mulch has been applied.

The term "tackifier" used here will mean tackifier with wood-cellulose fiber mulch.

The fiber mulch must consist of degradable green-dyed wood-cellulose fiber or 100%-recycled long-fiber pulp (recycled newspaper), free from weeds or other foreign matter toxic to seed germination.

The tackifier material must be of an organic, plant-derived substance containing psyllium, guar gum, cornstarch such as PT-TAC, Reclamare 2400, M-Binder, Eco-tak, Fisch-Stick, or approved equal.

The material will form a transparent 3-dimensional film-like crust permeable to water and air and containing no agents toxic to seed germination.

Submit a certificate of compliance.

The mulch applied under section 21-1.03M must be anchored with tackifier within 48 hours of application.

A hydroseeder with a paddle wheel agitator will be used to evenly apply the tackifier mixture at the following rates under suspension unless otherwise approved. The tackifier will be mixed and applied in compliance with the following:

Wood-cellulose fiber mulch:	500 lbs/acre
Tackifier:	130 lbs/acre
Water:	As needed

Tackifier must be applied using a commercial hydraulic mulcher with a built-in agitation system that has sufficient capacity to agitate, suspend, homogenize, and apply materials at the indicated rates.

Notify the Engineer of the equipment you propose to use no later than ten (10) days before application.

Hydraulic applications of tackifier must not be conducted during windy conditions greater than 8 mph.

Application of the mulch described in section 21-1.03M and tackifier will consist of a continuous operation where tackifier placement follows the mulch placement. The materials will be applied to individual identified areas on the same day the seed has been placed. One application will be not completed independent of the other.

**Replace first paragraph of section 21-1.02I with:**

Straw for straw bales must be stalks from rice furnished in air-dry condition.

**Add to section 21-1.02O(1):**

The table below specifies the RECP for this work.

	APPLICATION	MATERIAL
<b>ROLLED EROSION CONTROL PRODUCT (RECP)</b>	Blanket lined channels	Excel CC-4 All Natural as manufactured by Western Excelsior or C125BN as manufactured by North American Green, or approved equal.
	Basin and berms	BonTerra Coir Netting 400 as manufactured by BonTerra or KoirMat 400 as manufactured by Nedra Enterprises, or approved equal.

**Replace section 21-1.03D with:**

**21-1.03D Topsoil Mix**

Topsoil mix will be a blend of humus and salvaged soil in a ratio of 3:1 (soil to humus). Humus and salvaged soil will be mixed together in a separate stockpile at the job site. Do not mix these materials at the locations where the topsoil mix will be placed.

You must notify the Engineer of the proposed location of the source of imported humus 72 hours before you plan to pick-up the material so the Engineer can verify the suitability of the material.



The Department will, at its expense, except as noted in section 6-3, provide compaction testing to verify that you have achieved the required compaction.

Compaction testing will be performed on aggregate base. You will provide a 24-hour notice to the Engineer stating when you will be completed with an activity that requires compaction testing to allow the Engineer time to schedule testing before you start the next activity.

Aggregate base that exhibits pumping will not be accepted.

[illegible]

## 39 HOT MIX ASPHALT

as shown

**Add to section 39-1.02C:**

Asphalt binder used in HMA Type A must be PG 64-22 or PG 64-28.

**Replace “less than 10 percent” in note “b” in the table in the 5th paragraph of section 39-1.02E with:**

10 percent or less

**Add to section 39-1.02E:**

Aggregate used in HMA Type A must comply with 1/2-inch HMA Type A and B gradation.

**Replace section 39-1.02F with:**

**39-1.02F(1) General**

You may produce HMA Type A or B using RAP. HMA produced using RAP must comply with the specifications for HMA, except aggregate quality specifications do not apply to RAP. You may substitute RAP at a substitution rate not exceeding 15 percent of the aggregate blend. Do not use RAP in OGFC and RHMA-G.

Assign the substitution rate of RAP aggregate for virgin aggregate with the JMF submittal. The JMF must include the percent of RAP used.

Provide enough space for meeting RAP handling requirements at your facility. Provide a clean, graded, well-drained area for stockpiles. Prevent material contamination and segregation.

If RAP is from multiple sources, blend the RAP thoroughly and completely. RAP stockpiles must be homogeneous.

Isolate the processed RAP stockpiles from other materials. Store processed RAP in conical or longitudinal stockpiles. Processed RAP must not be agglomerated or be allowed to congeal in large stockpiles.

**39-1.02F(2) Substitution Rate of 15 Percent or Less**

For a RAP substitution rate of 15 percent or less, you may stockpile RAP during the entire project.

**Add to section 39-1.02J:**

For this Project the paint binder must be asphaltic emulsion SS-1.

**Replace items 7 and 8 in the 5th paragraph of section 39-1.03A with:**

7. Substitution rate by more than 5 percent if your assigned RAP substitution rate is 15 percent or less
8. Average binder content by more than 2 percent from the average binder content of the original processed RAP stockpile used in the mix design
9. Maximum specific gravity of processed RAP by more than  $\pm 0.060$  from the average maximum specific gravity of processed RAP reported on page 4 of your *Contractor Hot Mix Asphalt Design Data* form
10. Any material in the JMF

**Replace the 1st paragraph of section 39-1.03B with:**

Perform a mix design that produces HMA with the values for the quality characteristics shown in the following table:

### HMA Mix Design Requirements

Quality characteristic	Test method	HMA type		
		A	B	RHMA-G
Air void content (%)	California Test 367	4.0	4.0	section 39-1.03B
Voids in mineral aggregate (% min.)	California Test 367			
No. 4 grading		17.0	17.0	--
3/8" grading		15.0	15.0	--
1/2" grading		14.0	14.0	18.0–23.0
3/4" grading		13.0	13.0	18.0–23.0
Voids filled with asphalt (%)	California Test 367			Note a
No. 4 grading		65.0–75.0	65.0–75.0	
3/8" grading		65.0–75.0	65.0–75.0	
1/2" grading		65.0–75.0	65.0–75.0	
3/4" grading		65.0–75.0	65.0–75.0	
Dust proportion	California Test 367			Note a
No. 4 and 3/8" gradings		0.6–1.2	0.6–1.2	
1/2" and 3/4" gradings		0.6–1.2	0.6–1.2	
Stabilometer value (min.)	California Test 366			--
No. 4 and 3/8" gradings		30	30	
1/2" and 3/4" gradings		37	35	23

<sup>a</sup> Report this value in the JMF submittal.

For HMA with RAP, the maximum binder replacement must be 25.0 percent of OBC for surface course and 40.0 percent of OBC for lower courses.

For HMA with a binder replacement less than or equal to 25 percent of OBC, you may request that the PG asphalt binder grade with upper and lower temperature classifications be reduced by 6 degrees C from the specified grade.

For HMA with a binder replacement greater than 25 percent but less than or equal to 40 percent of OBC, you must use a PG asphalt binder grade with upper and lower temperature classifications reduced by 6 degrees C from the specified grade.

#### Replace item 4 in the list in the 1st paragraph of section 39-1.03C with:

4. JMF renewal on a *Caltrans Job Mix Formula Renewal* form, if applicable

#### Replace the 2nd paragraph of section 39-1.03E with:

Use the OBC specified on your *Contractor Hot Mix Asphalt Design Data* form. No adjustments to asphalt binder content are allowed. Based on your testing and production experience, you may submit an adjusted aggregate gradation TV on a *Contractor Job Mix Formula Proposal* form before verification testing. Aggregate gradation TV must be within the TV limits specified in the aggregate gradation tables.

#### Add between the 3rd and 4th paragraphs of section 39-1.03E:

Asphalt binder set point for HMA must be the OBC specified on your *Contractor Hot Mix Asphalt Design Data* form. When RAP is used, asphalt binder set point for HMA must be:

$$\text{Asphalt Binder Set Point} = \frac{\frac{BC_{OBC}}{\left(1 - \frac{BC_{OBC}}{100}\right)} - R_{RAP} \left[ \frac{BC_{RAP}}{\left(1 - \frac{BC_{RAP}}{100}\right)} \right]}{100 + \frac{BC_{OBC}}{\left(1 - \frac{BC_{OBC}}{100}\right)}}$$

Where:

BC<sub>OBC</sub> = optimum asphalt binder content, percent based on total weight of mix

R<sub>RAP</sub> = RAP ratio by weight of aggregate

BC<sub>RAP</sub> = asphalt binder content of RAP, percent based on total weight of RAP mix

**Replace item 4 in the list in the 8th paragraph of section 39-1.03E with:**

4. HMA quality specified in the table titled "HMA Mix Design Requirements" except:
  - 4.1. Air void content, design value  $\pm 2.0$  percent
  - 4.2. Voids filled with asphalt, report only
  - 4.3. Dust proportion, report only

**Replace the 12th paragraph of section 39-1.03E with:**

If tests on plant-produced samples do not verify the JMF, the Engineer notifies you and you must submit a new JMF or submit an adjusted JMF based on your testing. JMF adjustments may include a change in aggregate gradation TV within the TV limits specified in the aggregate gradation tables.

**Replace the 14th paragraph of section 39-1.03E with:**

A verified JMF is valid for 6 months.

**Replace the last sentence in the 15th paragraph of section 39-1.03E with:**

This deduction does not apply to verifications initiated by the Engineer or JMF renewal.

**Replace the 16th paragraph of section 39-1.03E with:**

Except for RAP substitution rate greater than 15 percent, for any HMA produced under the QC/QA process the Department does not use California Test 371 test results for verification.

**Add between the 1st and 2nd paragraphs of section 39-1.03F:**

Target asphalt binder content on your Contractor *Job Mix Formula Proposal* form and the OBC specified on your *Contractor Hot Mix Asphalt Design Data* form must be the same.

**Delete the 4th paragraph of section 39-1.03F.**

**Replace items 3 and 5 in the list in the 6th paragraph of section 39-1.03F with:**

3. Engineer verifies each proposed JMF renewal within 20 days of receiving verification samples.
5. For each HMA type and aggregate gradation specified, the Engineer verifies at the Department's expense 1 proposed JMF renewal within a 6-month period.

**Add between the 6th and 7th paragraphs of section 39-1.03F:**

The most recent aggregate quality test results within the past 6 months may be used for verification of JMF renewal or the Engineer may perform aggregate quality tests for verification of JMF renewal.

**Replace section 39-1.03G with:**

**39-1.03G Job Mix Formula Modification**

For an accepted JMF, you may change asphalt binder source one time during production.

Submit your modified JMF request a minimum of 3 business days before production. Each modified JMF submittal must consist of:

1. Proposed modified JMF on *Contractor Job Mix Formula Proposal* form
2. Mix design records on *Contractor Hot Mix Asphalt Design Data* form for the accepted JMF to be modified
3. JMF verification on *Hot Mix Asphalt Verification* form for the accepted JMF to be modified
4. Quality characteristics test results for the modified JMF as specified in section 39-1.03B. Perform tests at the mix design OBC as shown on the *Contractor Asphalt Mix Design Data* form

5. If required, California Test 371 test results for the modified JMF.

With an accepted modified JMF submittal, the Engineer verifies each modified JMF within 5 business days of receiving all verification samples. If California Test 371 is required, the Engineer tests for California Test 371 within 10 days of receiving verification samples.

The Engineer verifies the modified JMF after the modified JMF HMA is placed on the project and verification samples are taken within the first 750 tons following sampling requirements in section 39-1.03E, "Job Mix Formula Verification." The Engineer tests verification samples for compliance with:

1. Stability as shown in the table titled "HMA Mix Design Requirements"
2. Air void content at design value  $\pm 2.0$  percent
3. Voids in mineral aggregate as shown in the table titled "HMA Mix Design Requirements"
4. Voids filled with asphalt, report only
5. Dust proportion, report only

If the modified JMF is verified, the Engineer revises your *Hot Mix Asphalt Verification* form to include the new asphalt binder source. Your revised form will have the same expiration date as the original form.

If a modified JMF is not verified, stop production and any HMA placed using the modified JMF is rejected.

The Engineer deducts \$2,000 from payments for each modified JMF verification. The Engineer deducts an additional \$2,000 for each modified JMF verification that requires California Test 371.

**Add to section 39-1.03:**

**39-1.03H Job Mix Formula Acceptance**

You may start HMA production if:

1. The Engineer's review of the JMF shows compliance with the specifications.
2. The Department has verified the JMF within 6 months before HMA production.
3. The Engineer accepts the verified JMF.

**Replace "3 days" in the 1st paragraph of section 39-1.04A with:**

3 business days

**Replace the 2nd sentence in the 2nd paragraph of section 39-1.04A with:**

During production, take samples under California Test 125. You may sample HMA from:

**Replace "batch" in the 2nd sentence in the 2nd paragraph of section 39-1.04C with:**

lot. Each asphalt binder lot consists of 1 or multiple batches of combined asphalt binder, asphalt modifier, and CRM proportioned under section 39-1.02D.

**Replace the 2nd paragraph of section 39-1.04E with:**

For RAP substitution rate of 15 percent or less, sample RAP once daily.

Perform QC testing for processed RAP aggregate gradation under California Test 367, appendix B, and submit the results with the combined aggregate gradation.

**Replace "5 days" in the 1st paragraph of section 39-1.06 with:**

5 business days

**Replace the 3rd paragraph of section 39-1.08A with:**

During production, you may adjust hot or cold feed proportion controls for virgin aggregate and RAP.



**Add to section 39-1.08A:**

During production, asphalt binder set point for HMA Type A, HMA Type B, HMA Type C, and RHMA-G must be the OBC shown in *Contractor Hot Mix Asphalt Design Data* form. For OGFC, asphalt binder set point must be the OBC shown on *Caltrans Hot Mix Asphalt Verification* form. If RAP is used, asphalt binder set point for HMA must be calculated as specified in section 39-1.03E.

For RAP substitution rate of 15 percent or less, you may adjust the RAP by -5 percent.

You must request adjustments to the plant asphalt binder set point based on new RAP stockpiles average asphalt binder content. Do not adjust the HMA plant asphalt binder set point until authorized.

**Replace section 39-1.11 with:**

**39-1.11 CONSTRUCTION**

**39-1.11A General**

Do not place HMA on wet pavement or a frozen surface.

You may deposit HMA in a windrow and load it in the paver if:

1. Paver is equipped with a hopper that automatically feeds the screed
2. Loading equipment can pick up the windrowed material and deposit it in the paver hopper without damaging base material
3. Activities for deposit, pickup, loading, and paving are continuous
4. HMA temperature in the windrow does not fall below 260 degrees F

You may place HMA in 1 or more layers on areas less than 5 feet wide and outside the traveled way, including shoulders. You may use mechanical equipment other than a paver for these areas. The equipment must produce uniform smoothness and texture.

HMA handled, spread, or windrowed must not stain the finished surface of any improvement, including pavement.

Do not use petroleum products such as kerosene or diesel fuel to release HMA from trucks, spreaders, or compactors.

HMA must be free of:

1. Segregation
2. Coarse or fine aggregate pockets
3. Hardened lumps

Place additional HMA along the pavement's edge to conform to paved private roads and drives. Hand rake, if necessary, and compact the additional HMA to form a smooth conform taper.

**39-1.11B Longitudinal Joints**

**39-1.11B(1) General**

Longitudinal joints in the top layer must match specified lane edges. Alternate the longitudinal joint offsets in the lower layers at least 0.5 foot from each side of the specified lane edges. You may request other longitudinal joint placement patterns.

A vertical longitudinal joint of more than 0.15 ft is not allowed at any time between adjacent lanes open to traffic.

Place HMA on adjacent traveled way lanes so that at the end of each work shift the distance between the ends of HMA layers on adjacent lanes is from 5 to 10 feet. Place additional HMA along the transverse edge at each lane's end and along the exposed longitudinal edges between adjacent lanes. Hand rake

and compact the additional HMA to form temporary conforms. You may place Kraft paper or another authorized bond breaker under the conform tapers to facilitate the taper removal when paving operations resume.

#### **39-1.11B(2) Tapered Notched Wedge**

Not Used

#### **39-1.11C Widening Existing Pavement**

If widening existing pavement, construct new pavement structure to match the elevation of the existing pavement's edge before placing HMA over the existing pavement.

#### **39-1.11D Shoulders, Medians, and Other Road Connections**

Until the adjoining through lane's top layer has been paved, do not pave the top layer of:

1. Shoulders
2. Tapers
3. Transitions
4. Road connections
5. Driveways
6. Curve widenings
7. Chain control lanes
8. Turnouts
9. Turn pockets

If the number of lanes changes, pave each through lane's top layer before paving a tapering lane's top layer. Simultaneous to paving a through lane's top layer, you may pave an adjoining area's top layer, including shoulders. Do not operate spreading equipment on any area's top layer until completing final compaction.

Pave shoulders and median borders adjacent to the lane before opening a lane to traffic.

#### **39-1.11E Leveling**

If leveling with HMA is specified, fill and level irregularities and ruts with HMA before spreading HMA over the base, existing surfaces, or bridge decks. You may use mechanical equipment other than a paver for these areas. The equipment must produce uniform smoothness and texture. HMA used to change an existing surface's cross slope or profile is not paid for as HMA (leveling).

If placing HMA against the edge of existing pavement, sawcut or grind the pavement straight and vertical along the joint and remove extraneous material.

#### **39-1.11F Compaction**

Rolling must leave the completed surface compacted and smooth without tearing, cracking, or shoving. Complete finish rolling activities before the pavement surface temperature is:

1. Below 150 degrees F for HMA with unmodified binder
2. Below 140 degrees F for HMA with modified binder
3. Below 200 degrees F for RHMA-G

If a vibratory roller is used as a finish roller, turn the vibrator off.

Do not use a pneumatic-tired roller to compact RHMA-G.

For Standard and QC/QA construction processes, if 3/4-inch aggregate grading is specified, you may use a 1/2-inch aggregate grading if the specified total paved thickness is at least 0.15 foot and less than 0.20 foot thick.

Spread and compact HMA under sections 39-3.03 and 39-3.04 if any of the following applies:

1. Specified paved thickness is less than 0.15 foot.
2. Specified paved thickness is less than 0.20 foot and 3/4-inch aggregate grading is specified and used.
3. You spread and compact at:
  - 3.1. Asphalt concrete surfacing replacement areas
  - 3.2. Leveling courses
  - 3.3. Areas for which the Engineer determines conventional compaction and compaction measurement methods are impeded

Do not open new HMA pavement to public traffic until its mid-depth temperature is below 160 degrees F.

**Replace item 4 of fourth paragraph in section 39-1.14 with:**

4. Choose asphalt binder grade PG 64-22, PG 64-28, or PG 70-10.

**Replace section 39-1.30 with:**

### **39-1.30 EDGE TREATMENT, HOT MIX ASPHALT PAVEMENT**

#### **39-1.30A General**

Section 39-1.30 includes specifications for constructing the edges of HMA pavement as shown.

#### **39-1.30B Materials**

For the safety edge, use the same type of HMA used for the adjacent lane or shoulder.

#### **39-1.30C Construction**

The edge of roadway where the safety edge treatment is to be placed must have a solid base, free of debris such as loose material, grass, weeds, or mud. Grade areas to receive the safety edge as required. The safety edge treatment must be placed monolithic with the adjacent lane or shoulder and shaped and compacted with a device attached to the paver.

The device must be capable of shaping and compacting HMA to the required cross section as shown. Compaction must be by constraining the HMA to reduce the cross sectional area by 10 to 15 percent. The device must produce a uniform surface texture without tearing, shoving, or gouging and must not leave marks such as ridges and indentations. The device must be capable of transition to cross roads, driveways, and obstructions.

For safety edge treatment, the angle of the slope must not deviate by more than  $\pm 5$  degrees from the angle shown. Measure the angle from the plane of the adjacent finished pavement surface.

If paving is done in multiple lifts, the safety edge treatment can be placed either with each lift or with the final lift.

Short sections of hand work are allowed to construct transitions for safety edge treatment.

For more information on the safety edge treatment, go to:  
[http://safety.fhwa.dot.gov/roadway\\_dept/pavement/safedge/](http://safety.fhwa.dot.gov/roadway_dept/pavement/safedge/)

You can find a list of commercially available devices at the above Web site under "Frequently Asked Questions" and "Construction Questions."

#### **39-1.30D Payment**

Not Used

**Replace the 1st paragraph of section 39-3.02A with:**

The Department samples for acceptance testing and tests for the quality characteristics shown in the following table:

**HMA Acceptance—Method Construction Process**

Quality characteristic	Test method	HMA type			
		A	B	RHMA-G	OGFC
Aggregate gradation <sup>a</sup>	California Test 202	JMF ± tolerance <sup>b</sup>	JMF ± tolerance <sup>b</sup>	JMF ± tolerance <sup>b</sup>	JMF ± tolerance <sup>b</sup>
Sand equivalent (min) <sup>c</sup>	California Test 217	47	42	47	--
Asphalt binder content (%)	California Test 379 or 382	JMF±0.40	JMF±0.40	JMF ± 0.40	JMF ± 0.40
HMA moisture content (% max)	California Test 226 or 370	1.0	1.0	1.0	1.0
Stabilometer value (min) <sup>c</sup> No. 4 and 3/8" gradings 1/2" and 3/4" gradings	California Test 366	30 37	30 35	-- 23	-- --
Percent of crushed particles Coarse aggregate (% min) One fractured face Two fractured faces Fine aggregate (% min) (Passing no. 4 sieve and retained on no. 8 sieve.) One fractured face	California Test 205	90 75  70	25 --  20	-- 90  70	90 75  90
Los Angeles Rattler (% max) Loss at 100 rev. Loss at 500 rev.	California Test 211	12 45	-- 50	12 40	12 40
Air void content (%) <sup>c, d</sup>	California Test 367	4 ± 2	4 ± 2	TV ± 2	--
Fine aggregate angularity (% min) <sup>e</sup>	California Test 234	45	45	45	--
Flat and elongated particles (% max by weight @ 5:1)	California Test 235	Report only	Report only	Report only	Report only
Voids filled with asphalt (%) <sup>f</sup> No. 4 grading 3/8" grading 1/2" grading 3/4" grading	California Test 367	65.0–75.0 65.0–75.0 65.0–75.0 65.0–75.0	65.0–75.0 65.0–75.0 65.0–75.0 65.0–75.0	Report only	--
Voids in mineral aggregate (% min) <sup>f</sup> No. 4 grading 3/8" grading 1/2" grading 3/4" grading	California Test 367	17.0 15.0 14.0 13.0	17.0 15.0 14.0 13.0	-- -- 18.0–23.0 18.0–23.0	--
Dust proportion <sup>1</sup> No. 4 and 3/8" gradings 1/2" and 3/4" gradings	California Test 367	0.6–1.2 0.6–1.2	0.6–1.2 0.6–1.2	Report only	--
Moisture susceptibility (minimum dry strength, psi) <sup>g</sup>	California Test 371	120	120	--	--
Moisture susceptibility (tensile strength ration, %) <sup>g</sup>	California Test 371	70	70	--	--

Smoothness	section 39-1.12	12-foot straight-edge and must-grind	12-foot straight-edge and must-grind	12-foot straight-edge and must-grind	12-foot straight-edge and must-grind
Asphalt binder	Various	Section 92	Section 92	Section 92	Section 92
Asphalt rubber binder	Various	--	--	Section 92-1.01D(2) and section 39-1.02D	Section 92-1.01D(2) and section 39-1.02D
Asphalt modifier	Various	--	--	Section 39-1.02D	Section 39-1.02D
CRM	Various	--	--	Section 39-1.02D	Section 39-1.02D

<sup>a</sup> The Engineer determines combined aggregate gradations containing RAP under California Test 367.

<sup>b</sup> The tolerances must comply with the allowable tolerances in section 39-1.02E.

<sup>c</sup> The Engineer reports the average of 3 tests from a single split sample.

<sup>d</sup> The Engineer determines the bulk specific gravity of each lab-compacted briquette under California Test 308, Method A, and theoretical maximum specific gravity under California Test 309.

<sup>e</sup> The Engineer waives this specification if HMA contains 10 percent or less of non-manufactured sand by weight of total aggregate. Manufactured sand is fine aggregate produced by crushing rock or gravel.

<sup>f</sup> Report only.

<sup>g</sup> Applies to RAP substitution rate greater than 15 percent.

**Add between “thick” and “compacted” in the 1st paragraph of section 39-3.04:**

and minimum 0.15-foot thick

**Replace “280 degrees F” in item 2 in the list in the 6th paragraph of section 39-3.04 with:**

285 degrees F

**Add to section 39-6:**

Payment for the native backfill behind the AC Dike is included in the Supply and Place Hot Mix Asphalt Dike (Type E) item.

Payment for sawcutting, removal of existing AC pavement, subgrade, placement and compaction of aggregate base, tack coat, and placement of HMA is included in the HMA (Type A) item.

Payment for the AC Swale is included in the HMA (Type A) item.

Payment for the AC Dike Transitions is included in the Supply and Place Hot Mix Asphalt Dike (Type E) item.

Payment for the HMA under the AC Dike is included in the HMA (Type A) item.

AA

## 51 CONCRETE STRUCTURES

**Replace 3rd paragraph of section 51-7.01A with:**

Corrugated steel pipe inlet bases may be PC to the dimensions shown.

Concrete collars and pipe apron will be CIP to the dimensions shown.

**Add to section 51-7.01A:**

Articulated concrete block will conform to the requirements of ASTM C90, D6684-04 and C140.

**Delete reference to 2nd paragraph of section 51-7.01B of the RSS dated 10-19-12.**

**Add to section 51-7.01B:**

Concrete for concrete pipe apron and concrete base for corrugated steel pipe inlets must comply with the specifications for minor concrete.

Concrete for concrete encasement must comply with the specifications for slurry cement backfill.

All interlocking precast concrete blocks will be substantially H-shaped, having a flat bottom and, in its middle, two vertical openings of rectangular cross section and shall be manufactured as individual units which will be packaged in a manner suitable for transportation to the jobsite. The blocks will be shaped in such a way that each block keys into four (4) adjacent blocks. The gross area of each individual block in direct contact with the protected subgrade will be no less than one square foot. The color of the articulated concrete block shall blend with the surroundings and shall not consist of bright, light colors such as light gray, white, or off-white.

The articulated concrete block shall be Armorflex® 30S as manufactured by Armortec Erosion Control Solutions or approved equal. Submit a certificate of compliance within ten (10) working days of the Contract start date.

**Replace 1st and 2nd sentences of 1st paragraph of section 51-7.01C with:**

It is your responsibility to verify the top of grate elevation shown before excavation and to notify the Engineer of discrepancies.

**Add to section 51-7.01C:**

You will place the interlocking blocks to the lines and grades shown and established by Engineer. The subgrade on which the articulated blocks will be placed will be finish graded with the use of a string line or other similar method to assure the articulated blocks are set on smooth, straight grades consistent with the slopes and elevations shown with no deviations along the length.

**Replace section 51-7.01D with:**

Removal of sediment accumulated in the drainage inlets during construction is paid for under the respective items. Sediment must be removed just before demobilization. Disposal of sediment accumulated in the drainage inlets during construction is paid for under job site management. Disposal of sediment must comply with section 14-10.01.

Payment for work associated with the concrete pipe apron including excavation, furnishing, and constructing the concrete pipe apron is paid under Ditch Excavation (Rock Slope Protection) item.

Payment for concrete bases and pads for corrugated steel pipe inlets as shown is paid for under the respective Corrugated Steel Pipe Inlet item.

Payment for miscellaneous iron and steel for metal frames, lids, grates and atrium trash rack is paid under the respective Corrugated Steel Pipe Inlet item.

Payment for the articulated concrete block and placement is paid under the Minor Concrete (Minor Structure) (Articulated Block) item.

Payment for grading associated with the articulated block pad is paid under Ditch Excavation (Rock Slope Protection) item.



The Department pays for furnishing and installing concrete collars and encasement at the existing drainage inlets, bridging over an existing waterline, and CSP risers as shown under Minor Concrete (Minor Structure) (Concrete Collar and Encasement).

Payment for sawcutting, removal of AC pavement, aggregate base shouldering, and compaction on Sheet P-2 is paid under the 18" Plastic Pipe item.

AA

## **68 SUBSURFACE DRAINS**

### **Replace 1st paragraph of section 68-2.02D with:**

Perforated plastic pipe must be Type SP corrugated polyethylene pipe with smooth interior in compliance with AASHTO M 294 with Class 1, 3/8 inch diameter perforations. The pipe and fittings must be made from HDPE virgin PE compounds.

### **Add to section 68-2.02F(1):**

Submit a certificate of compliance within ten (10) working days of the Contract start date or within three (3) working days before the permeable material is to be used, whichever is sooner.

### **Add to section 68-2.02F(4):**

The percentage composition by weight of Class 3 permeable material in place must meet the grading requirements of 0 percentage passing a No. 100 sieve.

### **Delete 2nd sentence of 1st paragraph of section 68-2.03.**

### **Add to section 68-2.03:**

The interior of the pipe will be cleaned as the work progresses.

Compaction of permeable material will comply with section 19-5.03C.

You will protect perforations from becoming plugged outside the limits of the concrete collar during the installation of the pipe.

### **Add to section 68-2.04:**

The Department pays for furnishing and placing permeable material and filter fabric around the 24" Perforated Plastic Pipe Underdrain. Payment for furnishing and installing concrete collars and concrete encasement as shown is under Minor Concrete (Minor Structure) (Concrete Collar and Encasement).

The Department pays for furnishing and placing the permeable material, geogrid mat, and turf reinforcement mat, as applicable, under the corrugated steel pipe inlets and articulated blocks are paid for under the respective Corrugated Steel Pipe Inlet and Articulated Block Pad Items.

AA

## **70 MISCELLANEOUS DRAINAGE FACILITIES**

### **Add to section 70-1.03:**

After the installation of steel drainage facilities and appurtenances but before backfilling to finish grade, the visible surfaces will be painted the following TRPA approved color: No. 30059 of FED-STD-595.





Earthwork must comply with section 19.

**Replace first sentence of section 72-1.03**

If fabric is required, place the fabric before placing the rock. Before fabric placement, the ground surface must be free of loose or extraneous material and sharp object that may damage the fabric.

**Replace the fifth sentence of section 72-1.03 with:**

Join the edges of the fabric with 2 foot overlaps. If in a channel, place the upslope sheet to overlap the downslope sheet by at least 2 feet.

**Replace the first sentence of section 72-2.01 with:**

Section 72-2 includes specifications for constructing all rock work in contract. RSP includes:

**Replace first two paragraphs of section 72-2.02A with:**

For method A placement and the class of RSP described, comply with the rock grading shown in the following table:

<b>Rock Grading for Method A Placement</b>		
<u>Class</u>	<u>Rock Size</u>	<u>Percent Smaller Than</u>
<b>No. 1:</b>		
	16"	100
	12"	75-99
	8"	1-20
	6"	0
<b>1/4 Ton:</b>		
	<u>Rock Size</u>	<u>Percent Smaller Than</u>
	25"	100
	19"	0

Percentage is based on the number of rocks per size range versus the total number of rocks in any 100 SF area. Rock size will be measured along the smallest dimension of each rock.

**Add to section 72-2.02A with:**

Rock must be angular with no fewer than 3 fractured surfaces and of such shape as to form a stable protective structure after placement. The use of rounded cobbles will not be allowed.

All rock color must blend with the surroundings and must not consist of bright, light colors such as light gray, white, or off-white. At least 50% of the rock must have at least one surface that is weathered (i.e. exhibiting signs of oxidation). Samples of acceptable rock coloring are available for viewing at the County of El Dorado Transportation Division office, 924B Emerald Bay Road, South Lake Tahoe, CA.

For a rock dissipator, you must key in the full diameter of the rocks such that the top of all rock is at the same elevation as the adjacent finish grade. Rock placement for channels will proceed from the downstream end to the upstream end and from the center of the channel towards the sides.

Rock placement for rock bowls, rock dissipators, and rock lined channels will comply with Caltrans' Placement Method A.

**Replace section 72-2.04 with:**

**72-2.04 PAYMENT**

Class No. 1 Rock used in the CSP Inlet Riser is paid for under CSP Inlet item.

Class No. 1 Rock used on the sides and over the top of a Flared End Section is paid for under the respective Flared End Section item.

Class No. 1 Rock used in rock lined channels is paid under the Ditch Excavation (Rock Lined Channel) item.

The payment for Rock Slope Protection and Rock Dissipators is based on the area of rock installed for the respective item.

AA

## **75 MISCELLANEOUS METAL**

### **Add to section 75-1.02B:**

For this project CSP inlet grates will be raw steel. CSP inlet hinged lids will be 1/4 inch checkered plate galvanized steel.

CSP Inlet grates must be of an approved "bicycle-proof" type as shown.

### **Replace section 75-1.06 with:**

The Department pays for miscellaneous iron and steel for metal frames, lids, grates, atrium trash rack, and hoods under the type of metal Pipe Inlet.

AA

## **80 FENCES**

### **Replace section 80-4 with:**

#### **80-4 WOOD RAIL FENCE**

#### **80-4.01 GENERAL**

##### **80-4.01A Summary**

Section 80-4 includes specifications for constructing wood rail fence.

#### **80-4.02 MATERIALS**

##### **80-4.02A General**

The materials for wood rail fence are as shown and shall be salvaged your tree removal and clear and grubbing operations.

Concrete blocks will comply with section 58-2.

Bar reinforcing steel will comply will section 52.

#### **80-4.03 CONSTRUCTION**

1. Bar reinforcing steel will be bent over flush over the top fence log.
2. Wood rail fence ends to have free standing box ends as shown.

#### **80-4.04 PAYMENT**

Not used

AA

## DIVISION X MATERIALS

### 88 GEOSYNTHETICS

Replace section 88-1.02A with:

The table below specifies the materials for this work.

	APPLICATION	MATERIAL
<b>TURF REINFORCEMENT MAT</b>	Rock bowl, rock lined channel, rock dissipator, and rock slope protection.	Landlok 450 as manufactured by Propex or C125 as manufactured by North American Green, or approved equal.
<b>GEOTEXTILE FABRIC (woven)</b>	Between the Class 3 permeable material and soil.	Geotex 200ST as manufactured by Propex, Mirafi 500x as manufactured by Mirafi, or approved equal.
<b>FILTER FABRIC (non-woven)</b>	Perforated pipe trench.	Per section 88-1.02B
<b>FILTER FABRIC (woven)</b>	Silt fence material.	Per section 88-1.02E

Replace section 88-1.04 with:

The Department pays for turf reinforcement mat, geotextile fabric (woven) and filter fabric (non-woven) under the various items of work requiring these materials. Payment for filter fabric (woven) is under Temporary Reinforced Silt Fence.

AA

### 90 CONCRETE

Add to section 90-1.01A:

Portland cement must be Type II with no mineral admixtures.

An air-entraining agent conforming to section 90-1.02E will be added to the concrete at the rate required to result in an air content of 4-7% in the freshly mixed concrete.

Slump for Portland cement concrete must be no more than 2 inches nor less than 1 inch.

Add to section 90-1.01C(6):

You must supply concrete mix designs for all items of work requiring concrete within fifteen (15) working days of the receipt of the Notice to Proceed and at least five (5) working days before the start of the concrete work associated with these items.

Add to section 90-2.01C:

You must supply concrete mix designs for all items of work requiring concrete within fifteen (15) working days of the receipt of the Notice to Proceed and at least five (5) working days before the start of the concrete work associated with these items.

**Replace section 90-2.02B:**

Minor concrete must contain at least 564 pounds of cementitious material per cubic yard. Portland Cement concrete for curb and gutter, concrete curb ends, and drainage inlets shall have a compressive strength of a minimum of 4000 PSI at 28 days.

**AA**

**APPENDIX A**

**REVISED STANDARD SPECIFICATIONS**

## ORGANIZATION

Any paragraph added or deleted by a revision clause does not change the paragraph numbering of the *Standard Specifications* for any other reference to a paragraph of the *Standard Specifications*.

07-19-13

**Transfer section 36 from division IV to division V.**

## DIVISION I GENERAL PROVISIONS

## 1 GENERAL

02-27-15

**Replace "current" in the 2nd paragraph of section 1-1.05 with:**

most recent

04-20-12

**Add to the 4th paragraph of section 1-1.05:**

04-20-12

Any reference directly to a revised standard specification section is for convenience only. Lack of a direct reference to a revised standard specification section does not indicate a revised standard specification for the section does not exist.

**Replace "MSDS" in the 1st table in section 1-1.06 with:**

10-17-14

MSDS<sup>b</sup>

**Add to the 1st table in section 1-1.06:**

10-17-14

LCS	Department's lane closure system
POC	pedestrian overcrossing
QSD	qualified SWPPP developer
QSP	qualified SWPPP practitioner
SDS	safety data sheet
TRO	time-related overhead
WPC	water pollution control

**Add to the notes of the 1st table in section 1-1.06:**

10-17-14

<sup>b</sup>Interpret a reference to MSDS as a reference to SDS under 29 CFR 1910.1200.

**Delete the abbreviation and its meaning for *UDBE* in the 1st table of section 1-1.06.**

06-20-12

**Delete "Contract completion date" and its definition in section 1-1.07B.**

10-19-12

**Delete "critical delay" and its definition in section 1-1.07B.**

10-19-12

**Replace "day" and its definition in section 1-1.07B with:**

10-19-12

**day:** 24 consecutive hours running from midnight to midnight; calendar day.

1. **business day:** Day on the calendar except a Saturday and a holiday.
2. **working day:** Time measure unit for work progress. A working day is any 24-consecutive-hour period except:
  - 2.1. Saturday and holiday.
  - 2.2. Day during which you cannot perform work on the controlling activity for at least 50 percent of the scheduled work shift with at least 50 percent of the scheduled labor and equipment due to any of the following:
    - 2.2.1. Adverse weather-related conditions.
    - 2.2.2. Maintaining traffic under the Contract.
    - 2.2.3. Suspension of a controlling activity that you and the Engineer agree benefits both parties.
    - 2.2.4. Unanticipated event not caused by either party such as:
      - 2.2.4.1. Act of God.
      - 2.2.4.2. Act of a public enemy.
      - 2.2.4.3. Epidemic.
      - 2.2.4.4. Fire.
      - 2.2.4.5. Flood.
      - 2.2.4.6. Governor-declared state of emergency.
      - 2.2.4.7. Landslide.
      - 2.2.4.8. Quarantine restriction.
    - 2.2.5. Issue involving a third party, including:
      - 2.2.5.1. Industry or area-wide labor strike.



- 2.2.5.2. Material shortage.
- 2.2.5.3. Freight embargo.
- 2.2.5.4. Jurisdictional requirement of a law enforcement agency.
- 2.2.5.5. Workforce labor dispute of a utility or nonhighway facility owner resulting in a nonhighway facility rearrangement not described and not solely for the Contractor's convenience. Rearrangement of a nonhighway facility includes installation, relocation, alteration, or removal of the facility.
- 2.3. Day during a concurrent delay.
- 3. **original working days:**
  - 3.1. Working days to complete the work shown on the *Notice to Bidders* for a non-cost plus time based bid.
  - 3.2. Working days bid to complete the work for a cost plus time based bid.

Where working days is specified without the modifier "original" in the context of the number of working days to complete the work, interpret the number as the number of original working days as adjusted by any time adjustment.

**Replace "Contract" in the definition of "early completion time" in section 1-1.07B with:**

work

10-19-12

**Replace "excusable delay" and its definition in section 1-1.07B with:**

**delay:** Event that extends the completion of an activity.

10-19-12

- 1. **excusable delay:** Delay caused by the Department and not reasonably foreseeable when the work began such as:
  - 1.1. Change in the work
  - 1.2. Department action that is not part of the Contract
  - 1.3. Presence of an underground utility main not described in the Contract or in a location substantially different from that specified
  - 1.4. Described facility rearrangement not rearranged as described, by the utility owner by the date specified, unless the rearrangement is solely for the Contractor's convenience
  - 1.5. Department's failure to obtain timely access to the right-of-way
  - 1.6. Department's failure to review a submittal or provide notification in the time specified
- 2. **critical delay:** Excusable delay that extends the scheduled completion date
- 3. **concurrent delay:** Occurrence of at least 2 of the following events in the same period of time, either partially or entirely:
  - 3.1. Critical delay
  - 3.2. Delay to a controlling activity caused by you
  - 3.3. Non-working day

**Replace "project" in the definition of "scheduled completion date" in section 1-1.07B with:**

work

10-19-12

**Add to section 1-1.07B:**

**Contract time:** Number of original working days as adjusted by any time adjustment.

10-19-12

06-20-12

**Disadvantaged Business Enterprise:** Disadvantaged Business Enterprise as defined in 49 CFR 26.5.

04-20-12

**Replace "PO BOX 911" in the District 3 mailing address in the table in section 1-1.08 with:**  
703 B ST

11-15-13

**Replace the Web site for the Department of General Services, Office of Small Business and DVBE Services in the table in section 1-1.11 with:**  
<http://www.dgs.ca.gov/dgs/ProgramsServices/BusServices.aspx>

02-27-15

**Replace "--" for the telephone number for the Office Engineer in the table in section 1-1.11 with:**  
(916) 227-6299

AA

## 2 BIDDING

02-27-15

**Replace the headings and paragraphs in section 2 with:**

02-21-14

### 2-1.01 GENERAL

Section 2 includes specifications related to bid eligibility and the bidding process.

The electronic bid specifications in section 2 apply if *Electronic Bidding Contract* is shown on the cover of the *Notice to Bidders and Special Provisions*.

### 2-1.02 BID INELIGIBILITY

A firm that has provided architectural or engineering services to the Department for this contract before bid submittal for this contract is prohibited from any of the following:

1. Submitting a bid
2. Subcontracting for a part of the work
3. Supplying materials

### 2-1.03 RESERVED

02-27-15

### 2-1.04 CONTRACTOR REGISTRATION

No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

## 2-1.05 RESERVED

02-21-14

## 2-1.06 BID DOCUMENTS

10-17-14

### 2-1.06A General

01-23-15

The *Bid* book includes bid forms and certifications. For an electronic bid, the *Bid* book includes forms not available through the electronic bidding service.

The *Notice to Bidders and Special Provisions* includes the *Notice to Bidders*, revised standard specifications, and special provisions.

The *Bid* book, including *Bid* book forms not available through the electronic bidding service, *Notice to Bidders and Special Provisions*, project plans, and any addenda to these documents may be accessed at the Bidders' Exchange website.

The *Standard Specifications* and *Standard Plans* may be viewed at the Bidders' Exchange website and may be purchased at the Publication Distribution Unit.

10-17-14

### 2-1.06B Supplemental Project Information

The Department makes supplemental information available as specified in the special provisions.

Logs of test borings are supplemental project information.

If an *Information Handout* or cross sections are available, you may view them at the Contract Plans and Special Provisions link at the Bidders' Exchange website.

If rock cores are available, you may view them by sending a request to [Coreroom@dot.ca.gov](mailto:Coreroom@dot.ca.gov).

If other supplemental project information is available for inspection, you may view it by phoning in a request.

Make your request at least 7 days before viewing. Include in your request:

1. District-County-Route
2. Contract number
3. Viewing date
4. Contact information, including telephone number

For rock cores, also include the bridge number in your request.

If bridge as-built drawings are available:

1. For a project in District 1 through 6 or 10, you may request them from the Office of Structure Maintenance and Investigations, fax (916) 227-8357
2. For a project in District 7, 8, 9, 11, or 12, you may request them from the Office of Structure Maintenance and Investigations, fax (916) 227-8357, and they are available at the Office of Structure Maintenance and Investigations, Los Angeles, CA, telephone (213) 897-0877

As-built drawings may not show existing dimensions and conditions. Where new construction dimensions are dependent on existing bridge dimensions, verify the field dimensions and adjust dimensions of the work to fit existing conditions.

### 2-1.06C–2-1.06D Reserved

## 2-1.07 JOB SITE AND DOCUMENT EXAMINATION

Examine the job site and bid documents. Notify the Department of apparent errors and patent ambiguities in the plans, specifications, and Bid Item List. Failure to do so may result in rejection of a bid or rescission of an award.

Bid submission is your acknowledgment that you have examined the job site and bid documents and are satisfied with:

1. General and local conditions to be encountered
2. Character, quality, and scope of work to be performed
3. Quantities of materials to be furnished
4. Character, quality, and quantity of surface and subsurface materials or obstacles
5. Requirements of the contract

02-21-14

## **2-1.08 RESERVED**

## **2-1.09 BID ITEM LIST**

Submit a bid based on the bid item quantities the Department shows on the Bid Item List.

02-27-15

## **2-1.10 SUBCONTRACTOR LIST**

On the Subcontractor List form, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.).

For each subcontractor listed, the Subcontractor List form must show:

1. Business name and the location of its place of business.
2. California contractor license number for a non-federal-aid contract.
3. Public works contractor registration number
4. Portion of work it will perform. Show the portion of the work by:
  - 4.1. Bid item numbers for the subcontracted work
  - 4.2. Percentage of the subcontracted work for each bid item listed
  - 4.3. Description of the subcontracted work if the percentage of the bid item listed is less than 100 percent

02-21-14

## **2-1.11 RESERVED**

01-23-15

## **2-1.12 DISADVANTAGED BUSINESS ENTERPRISES**

### **2-1.12A General**

Section 2-1.12 applies to a federal-aid contract.

Under 49 CFR 26.13(b):

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

Include this assurance in each subcontract you sign with a subcontractor.

### **2-1.12B Disadvantaged Business Enterprise Goal**

#### **2-1.12B(1) General**

Section 2-1.12B applies if a DBE goal is shown on the *Notice to Bidders*.

The Department shows a goal for DBEs to comply with the DBE program objectives provided in 49 CFR 26.1.

Make work available to DBEs and select work parts consistent with available DBEs, including subcontractors, suppliers, service providers, and truckers.

Meet the DBE goal shown on the *Notice to Bidders* or demonstrate that you made adequate good faith efforts to meet this goal.

You are responsible to verify at bid opening the DBE firm is certified as a DBE by the California Unified Certification Program and possess the work codes applicable to the type of work the firm will perform on the Contract.

Determine that selected DBEs perform a commercially useful function for the type of work the DBE will perform on the Contract as provided in 49 CFR 26.55(c)(1)–(4). Under 49 CFR 26.55(c)(1)–(4), the DBE must be responsible for the execution of a distinct element of work and must carry out its responsibility by actually performing, managing, and supervising the work.

All DBE participation will count toward the Department's federally-mandated statewide overall DBE goal.

Credit for materials or supplies you purchase from DBEs will be evaluated on a contract-by-contract basis and counts toward the goal in the following manner:

1. 100 percent if the materials or supplies are obtained from a DBE manufacturer.
2. 60 percent if the materials or supplies are obtained from a DBE regular dealer.
3. Only fees, commissions, and charges for assistance in the procurement and delivery of materials or supplies, if they are obtained from a DBE that is neither a manufacturer nor regular dealer. 49 CFR 26.55 defines "manufacturer" and "regular dealer."

You receive credit toward the goal if you employ a DBE trucking company that is performing a commercially useful function. The Department uses the following factors in determining whether a DBE trucking company is performing a commercially useful function:

- The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract, and there cannot be a contrived arrangement for the purpose of meeting DBE goals.
- The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the contract.
- The DBE receives credit for the total value of the transportation services it provides on the Contract using trucks it owns, insures, and operates using drivers it employs.
- The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Contract.
- The DBE may lease trucks without drivers from a non-DBE truck leasing company. If the DBE leases trucks from a non-DBE truck leasing company and uses its own employees as drivers, it is entitled to credit for the total value of these hauling services.
- A lease must indicate that the DBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

[49 Fed Reg 59595 (10/2/14) (to be codified at 49 CFR 26.55(d)]

#### **2-1.12B(2) DBE Commitment Submittal**

Submit DBE information under section 2-1.33.

Submit written confirmation from each DBE shown on the DBE Commitment form stating that it will be participating in the Contract in the type and amount of work shown on the form. If a DBE is participating as a joint venture partner, submit a copy of the joint venture agreement.

### **2-1.12B(3) DBE Good Faith Efforts Submittal**

You can meet the DBE requirements by either documenting commitments to DBEs to meet the Contract goal or by documenting adequate good faith efforts to meet the Contract goal. An adequate good faith effort means that the bidder must show that it took all necessary and reasonable steps to achieve a DBE goal that, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to meet the DBE goal.

If you have not met the DBE goal, complete and submit the DBE Good Faith Efforts Documentation form under section 2-1.33 showing that you made adequate good faith efforts to meet the goal. Only good faith efforts directed toward obtaining participation by DBEs are considered.

Submit good faith efforts documentation within the specified time to protect your eligibility for award of the contract in the event the Department finds that the DBE goal has not been met.

Refer to 49 CFR 26 app A for guidance regarding evaluation of good faith efforts to meet the DBE goal.

The Department considers DBE commitments of other bidders in determining whether the low bidder made good faith efforts to meet the DBE goal.

02-21-14

### **2-1.13–2-1.14 RESERVED**

### **2-1.15 DISABLED VETERAN BUSINESS ENTERPRISES**

#### **2-1.15A General**

Section 2-1.15 applies to a non-federal-aid contract.

Take necessary and reasonable steps to ensure that DVBEs have the opportunity to participate in the Contract.

Comply with Mil & Vet Code § 999 et seq.

#### **2-1.15B Projects \$5 Million or Less**

Section 2-1.15B applies to a project with an estimated cost of \$5 million or less.

Make work available to DVBEs and select work parts consistent with available DVBE subcontractors and suppliers.

Meet the goal shown on the *Notice to Bidders*.

Complete and submit the Certified DVBE Summary form under section 2-1.33. List all DVBE participation on this form.

If a DVBE joint venture is used, submit the joint venture agreement with the Certified DVBE Summary form.

List each 1st-tier DVBE subcontractor on the Subcontractor List form regardless of percentage of the total bid.

#### **2-1.15C Projects More Than \$5 Million**

##### **2-1.15C(1) General**

Section 2-1.15C applies to a project with an estimated cost of more than \$5 million.

The Department encourages bidders to obtain DVBE participation to ensure the Department achieves its State-mandated overall DVBE goal.

If you obtain DVBE participation:

1. Complete and submit the Certified DVBE Summary form under section 2-1.33. List all DVBE participation on this form.
2. List each 1st tier DVBE subcontractor in the Subcontractor List form regardless of percentage of the total bid.

If a DVBE joint venture is used, submit the joint venture agreement with the Certified DVBE Summary form.

#### **2-1.15C(2) DVBE Incentive**

The Department grants a DVBE incentive to each bidder who achieves a DVBE participation of 1 percent or greater (Mil & Vet Code 999.5 and Code of Regs § 1896.98 et seq.).

To receive this incentive, submit the Certified DVBE Summary form under section 2-1.33.

Bidders other than the apparent low bidder, the 2nd low bidder, and the 3rd low bidder may be required to submit the Certified DVBE Summary form if the bid ranking changes. If the Department requests a Certified DVBE Summary form from you, submit the completed form within 4 business days of the request.

#### **2-1.15C(3) Incentive Evaluation**

The Department applies the small business and non-small business preference during bid verification and proceeds with the evaluation specified below for DVBE incentive.

The DVBE incentive is a reduction, for bid comparison only, in the total bid submitted by the lesser of the following amounts:

1. Percentage of DVBE achievement rounded to 2 decimal places of the verified total bid of the low bidder
2. 5 percent of the verified total bid of the low bidder
3. \$250,000

The Department applies DVBE incentive and determines whether bid ranking changes.

A non-small business bidder cannot displace a small business bidder. However, a small business bidder with higher DVBE achievement can displace another small business bidder.

The Department proceeds with awarding the contract to the new low bidder and posts the new verified bid results at the Department's Web site.

#### **2-1.16–2-1.17 RESERVED**

#### **2-1.18 SMALL BUSINESS AND NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCES**

##### **2-1.18A General**

Section 2-1.18 applies to a non-federal-aid contract.

The Department applies small business preferences and non-small business preferences under Govt Code § 14835 et seq. and 2 CA Code of Regs § 1896 et seq.

Any contractor, subcontractor, supplier, or service provider who qualifies as a small business is encouraged to apply for certification as a small business by submitting its application to the Department of General Services, Office of Small Business and DVBE Services.

Contract award is based on the total bid, not the reduced bid.

##### **2-1.18B Small Business Preference**

The Department allows a bidder certified as a small business by the Department of General Services, Office of Small Business and DVBE Services, a preference if:

1. Bidder submitted a completed Request for Small Business Preference or Non-Small Business Preference form with its bid
2. Low bidder did not request the preference or is not certified as a small business

The bidder's signature on the Request for Small Business Preference or Non-Small Business Preference form certifies that the bidder is certified as a small business at the date and time of bid or has submitted a

complete application to the Department of General Services. The complete application and any required substantiating documentation must be received by the Department of General Services by 5:00 p.m. on the bid opening date.

The Department of General Services determines whether a bidder was certified on the bid opening date. The Department of Transportation confirms the bidder's status as a small business before applying the small business preference.

The small business preference is a reduction for bid comparison in the total bid submitted by the small business contractor by the lesser of the following amounts:

1. 5 percent of the verified total bid of the low bidder
2. \$50,000

If the Department determines that a certified small business bidder is the low bidder after the application of the small business preference, the Department does not consider a request for non-small business preference.

#### **2-1.18C Non-Small Business Subcontractor Preference**

The Department allows a bidder not certified as a small business by the Department of General Services, Office of Small Business and DVBE Services, a preference if:

1. Bidder submitted a completed Request for Small Business Preference or Non-Small Business Preference form with its bid
2. Certified Small Business Listing for the Non-Small Business Preference form shows that you are subcontracting at least 25 percent to certified small businesses

Each listed subcontractor and supplier must be certified as a small business at the date and time of bid or must have submitted a complete application to the Department of General Services. The complete application and any required substantiating documentation must be received by the Department of General Services by 5:00 p.m. on the bid opening date.

The non-small business subcontractor preference is a reduction for bid comparison in the total bid submitted by the non-small business contractor requesting the preference by the lesser of the following amounts:

1. 5 percent of the verified total bid of the low bidder
2. \$50,000

#### **2-1.19–2-1.26 RESERVED**

#### **2-1.27 CALIFORNIA COMPANIES**

Section 2-1.27 applies to a non-federal-aid contract.



Under Pub Cont Code § 6107, the Department gives preference to a "California company," as defined, for bid comparison purposes over a nonresident contractor from any state that gives or requires a preference to be given to contractors from that state on its public entity construction contracts.

Complete a California Company Preference form.

The California company reciprocal preference amount is equal to the preference amount applied by the state of the nonresident contractor with the lowest responsive bid unless the California company is eligible for a small business preference or a non-small business subcontractor preference, in which case the preference amount is the greater of the two, but not both.

If the low bidder is not a California company and a California company's bid with reciprocal preference is equal to or less than the lowest bid, the Department awards the contract to the California company on the basis of its total bid.

#### **2-1.28 RESERVED**

#### **2-1.29 OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS**

You may opt out of the payment adjustments for price index fluctuations specified in section 9-1.07. To opt out, submit a completed Opt Out of Payment Adjustments for Price Index Fluctuations form under section 2-1.33.

#### **2-1.30–2-1.32 RESERVED**

02-27-15

#### **2-1.33 BID DOCUMENT COMPLETION AND SUBMITTAL**

##### **2-1.33A General**

Complete the forms in the *Bid* book.

Use the forms provided by the Department except as otherwise specified for a bidder's bond.

Do not fax forms except for the copies of forms with the public works contractor registration number submitted after the time of bid. Fax these copies to (916) 227-6282.

Submit the forms and copies of the forms to the Office Engineer.

Failure to submit the forms and information as specified may result in a nonresponsive bid.

If an agent other than the authorized corporate officer or a partnership member signs the bid, file a Power of Attorney with the Department either before opening bids or with the bid. Otherwise, the bid may be nonresponsive.

##### **2-1.33B Electronic Bids**

Section 2-1.33B applies to electronic bids.

For an electronic bid, complete and submit the electronic portion of the *Bid* book under the *Electronic Bidding Guide* at the Bidders' Exchange website and submit the paper forms as specified for a paper bid.

Your authorized digital signature is your confirmation of and agreement to all certifications and statements contained in the *Bid* book.

On forms and certifications that you submit through the electronic bidding service, you agree that each form and certification where a signature is required is deemed as having your signature.

##### **2-1.33C Paper Bids**

Section 2-1.33C applies to paper bids.

Submit your bid and any *Bid* book forms after you submit your bid:

1. Under sealed cover
2. Marked as a bid
3. Identifying the contract number and the bid opening date

## **2-1.33D Bid Form Submittal Schedules**

### **2-1.33D(1) General**

The *Bid* book includes forms specific to the contract. The deadlines for the submittal of the forms vary depending on the requirements of each contract. Determine the requirements of the contract and submit the forms based on the applicable schedule specified in section 2-1.33D.

Bid forms and information on the form that are due after the time of bid may be submitted at the time of bid.

### **2-1.33D(2) Federal-Aid Contracts**

#### **2-1.33D(2)(a) General**

Section 2-1.33D(2) applies to a federal-aid contract.

#### **2-1.33D(2)(b) Contracts with a DBE Goal**

Section 2-1.33D(2)(b) applies if a DBE goal is shown on the *Notice to Bidders*,

Submit the bid forms according to the schedule shown in the following table:

**Bid Form Submittal Schedule for a  
Federal-Aid Contract with a DBE Goal**

Form	Submittal deadline
Bid to the Department of Transportation	Time of bid except for the public works contractor registration number
Copy of the Bid to the Department of Transportation as submitted at the time of bid with the public works contractor registration number	10 days after bid opening
Subcontractor List	Time of bid except for the public works contractor registration number
Copy of the Subcontractor List as submitted at the time of bid with the public works contractor registration number	10 days after bid opening
Small Business Status	Time of bid
Opt Out of Payment Adjustments for Price Index Fluctuations <sup>a</sup>	Time of bid
DBE Commitment	No later than 4 p.m. on the 4th business day after bid opening
DBE Good Faith Efforts Documentation	No later than 4 p.m. on the 4th business day after bid opening

<sup>a</sup>Submit only if you choose the option.

#### **2-1.33D(2)(c) Contracts without a DBE Goal**

Reserved

#### **2-1.33D(2)(d)–2-1.33D(2)(h) Reserved**

### **2-1.33D(3) Non-Federal-Aid Contracts**

#### **2-1.33D(3)(a) General**

Section 2-1.33D(3) applies to non-federal-aid contracts.

#### **2-1.33D(3)(b) Contracts with a DVBE Goal**

Section 2-1.33D(3)(b) applies if a DVBE goal is shown on the *Notice to Bidders*.

Submit the bid forms according to the schedule shown in the following table:

**Bid Form Submittal Schedule for a  
Non-Federal-Aid Contract with a DVBE Goal**

Form	Submittal deadline
Bid to the Department of Transportation	Time of bid except for the public works contractor registration number for a joint-venture contract
For a joint-venture contract, copy of the Bid to the Department of Transportation as submitted at the time of bid with the public works contractor registration number	10 days after bid opening
Subcontractor List	Time of bid
Opt Out of Payment Adjustments for Price Index Fluctuations <sup>a</sup>	Time of bid
Certified DVBE Summary	No later than 4 p.m. on the 4th business day after bid opening
California Company Preference	Time of bid
Request for Small Business Preference or Non-Small Business Preference <sup>a</sup>	Time of bid
Certified Small Business Listing for the Non-Small Business Preference <sup>a</sup>	No later than 4 p.m. on the 2nd business day after bid opening

<sup>a</sup>Submit only if you choose the option or preference.

**2-1.33D(3)(c) Contracts without a DVBE Goal**

Reserved

**2-1.33D(3)(d)–2-1.33D(3)(h) Reserved**

**2-1.33D(4)–2-1.33D(9) Reserved**

02-21-14

**2-1.34 BIDDER'S SECURITY**

Submit one of the following forms of bidder's security equal to at least 10 percent of the bid:

1. Cash
2. Cashier's check
3. Certified check
4. Signed bidder's bond by an admitted surety insurer
5. For an electronic bid, electronic bidder's bond by an admitted surety insurer submitted using an electronic registry service approved by the Department.

Submit cash, cashier's check, certified check, or bidder's bond to the Department at the Bidders Exchange before the bid opening time.

Submit electronic bidder's bond with the electronic bid.

If using a bidder's bond, you may use the form in the *Bid* book. If you do not use the form in the *Bid* book, use a form containing the same information.

**2-1.35–2-1.39 RESERVED**

**2-1.40 BID WITHDRAWAL**

For a paper bid:

1. An authorized agent may withdraw a bid before the bid opening date and time by submitting a written bid withdrawal request at the location where the bid was submitted. Withdrawing a bid does not prevent you from submitting a new bid.
2. After the bid opening time, you cannot withdraw a bid.

For an electronic bid:

1. Bids are not filed with the Department until the date and time of bid opening.
2. A bidder may withdraw or revise a bid after it has been submitted to the electronic bidding service if this is done before the bid opening date and time.

**2-1.41–2-1.42 RESERVED**

**2-1.43 BID OPENING**

The Department publicly opens and reads bids at the time and place shown on the *Notice to Bidders*.

**2-1.44–2-1.45 RESERVED**

**2-1.46 DEPARTMENT'S DECISION ON BID**

The Department's decision on the bid amount is final.

The Department may reject:

1. All bids
2. A nonresponsive bid

**2-1.47 BID RELIEF**

The Department may grant bid relief under Pub Cont Code § 5100 et seq. Submit any request for bid relief to the Office Engineer. The Relief of Bid Request form is available at the Department's website.

**2-1.48 RESERVED**

**2-1.49 SUBMITTAL FAILURE HISTORY**

The Department considers a bidder's past failure to submit documents required after bid opening in determining a bidder's responsibility.

**2-1.50 BID RIGGING**

Section 2-1.50 applies to a federal-aid contract.

The U.S. Department of Transportation (DOT) provides a toll-free hotline to report bid rigging activities. Use the hotline to report bid rigging, bidder collusion, and other fraudulent activities. The hotline number is (800) 424-9071. The service is available 24 hours 7 days a week and is confidential and anonymous.. The hotline is part of the DOT's effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General.

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### **3 CONTRACT AWARD AND EXECUTION**

02-27-15

**Replace section 3-1.02 with:**

02-21-14

**3-1.02 CONSIDERATION OF BIDS**

**3-1.02A General**

For a lump sum based bid, the Department compares bids based on the total price.

For a unit price based bid, the Department compares bids based on the sum of the item totals.

For a cost plus time based bid, the Department compares bids based on the sum of the item totals and the total bid for time.

**3-1.02B Tied Bids**

The Department breaks a tied bid with a coin toss except:

1. If a small business bidder and a non-small business bidder request preferences and the reductions result in a tied bid, the Department awards the contract to the small business bidder.
2. If a DVBE small business bidder and a non-DVBE small business bidder request preferences and the reduction results in a tied bid, the Department awards the contract to the DVBE small business bidder.

**Replace section 3-1.03 with:**

02-27-15

### **3-1.03 CONTRACTOR REGISTRATION**

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

**Add to the end of section 3-1.04:**

10-19-12

You may request to extend the award period by faxing a request to (916) 227-6282 before 4:00 p.m. on the last day of the award period. If you do not make this request, after the specified award period:

1. Your bid becomes invalid
2. You are not eligible for the award of the contract

**Replace the paragraph in section 3-1.11 with:**

10-19-12

Complete and deliver to the Office Engineer a *Payee Data Record* when requested by the Department.

**Replace section 3-1.12 with:**

01-23-15

### **3-1.12 RESERVED**

**Replace section 3-1.13 with:**

07-27-12

### **3-1.13 FORM FHWA-1273**

For a federal-aid contract, form FHWA-1273 is included with the Contract form in the documents sent to the successful bidder for execution. Comply with its provisions. Interpret the training and promotion section as specified in section 7-1.11A.

01-23-15

**Delete items 4 and 6 of the 2nd paragraph of section 3-1.18.**

02-27-15

**Delete the 3rd paragraph of section 3-1.18.**

**Replace "For all other contracts, the" in the 4th paragraph of section 3-1.18 with:**

02-27-15

The



Before the 15th day of each month for the previous month's work, submit:

1. Monthly DBE Trucking Verification form
2. Monthly DBE Payment form

If a DBE is decertified before completing its work, the DBE must notify you in writing of the decertification date. If a business becomes a certified DBE before completing its work, the business must notify you in writing of the certification date. Submit the notifications. Upon work completion, complete a Disadvantaged Business Enterprises (DBE) Certification Status Change form. Submit the form within 30 days of Contract acceptance.

Upon work completion, complete a Final Report – Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors form. Submit it within 30 days of Contract acceptance. The Department withholds \$10,000 until the form is submitted. The Department releases the withhold upon submission of the completed form.

#### **5-1.13B(2) Performance of Disadvantaged Business Enterprises**

Section 5-1.13(B)(2) applies if a DBE goal is shown on the *Notice to Bidders*.

DBEs must perform work or supply materials as listed on the DBE Commitment form.

Do not terminate or substitute a listed DBE for convenience and perform the work with your own forces or those of an affiliate, a non-DBE firm, or another DBE firm or obtain materials from other sources without authorization from the Department.

The Department authorizes a request to use other forces or sources of materials if it shows any of the following justifications:

1. Listed DBE fails or refuses to execute a written contract based on the plans and specifications for the project.
2. You stipulated that a bond is a condition of executing the subcontract and the listed DBE fails to meet your bond requirements.
3. Work requires a contractor license and the listed DBE does not have a valid license under the Contractors License Law.
4. Listed DBE fails or refuses to perform the work or furnish the listed materials.
5. Listed DBE's work is unsatisfactory and not in compliance with the Contract.
6. Listed DBE is ineligible to work on the project because of suspension or debarment.
7. Listed DBE becomes bankrupt or insolvent.
8. Listed DBE voluntarily withdraws with written notice from the Contract.
9. Listed DBE is ineligible to receive credit for the type of work required.
10. Listed DBE owner dies or becomes disabled resulting in the inability to perform the work on the Contract.
11. Department determines other documented good cause under 49 CFR 26.53.

Notify the original DBE of your intent to use other forces or material sources and provide the reasons. Provide the DBE with 5 days to respond to your notice and advise you and the Department of the reasons why the use of other forces or sources of materials should not occur. Your request to use other forces or material sources must include:

1. 1 or more of the reasons listed in the preceding paragraph
2. Notices from you to the DBE regarding the request
3. Notices from the DBE to you regarding the request

If the Department authorizes the termination or substitution of a listed DBE, make good faith efforts to find another DBE. The substitute DBE must (1) perform at least the same amount of work as the original DBE under the Contract to the extent needed to meet the DBE goal and (2) be certified as a DBE with the work code applicable to the type of work the DBE will perform on the Contract at the time of your request for substitution. Submit your good faith effort documentation within 7 days of your request for authorization of

the substitution. The Department may authorize a 7-day extension of this submittal period at your request. Refer to 49 CFR 26 app A for guidance regarding evaluation of good faith efforts to meet the DBE goal.

Unless the Department authorizes a request to terminate or substitute a listed DBE, the Department does not pay for work unless it is performed or supplied by the DBE listed on the DBE Commitment form. You may be subject to other sanctions under 49 CFR 26.

**Replace the paragraphs of section 5-1.13C with:**

11-15-13

Section 5-1.13C applies to a non-federal-aid contract.

Use each DVBE as shown on the *Certified DVBE Summary* form unless you receive authorization from the Department for a substitution. The substitute must be another DVBE unless DVBEs are not available, in which case, you must substitute with a small business. Any authorization for a substitute is contingent upon the Department of General Services' approval of the substitute.

The requirement that DVBEs be certified by the bid opening date does not apply to DVBE substitutions after Contract award.

The Department authorizes substitutions for any of the reasons provided in 2 CA Code of Regs § 1896.73.

Include in your substitution request:

1. Copy of the written notice issued to the DVBE with proof of delivery
2. Copy of the DVBE's response to the notice
3. Name and certification number of the listed DVBE and the proposed substitute

Requests for substitutions of a listed DVBE with a small business must include documentation of the unavailability of DVBEs, including:

1. Contact with the small business/DVBE advocate from the Department and the Department of Veterans Affairs
2. Search results from the Department of General Services' website of available DVBEs
3. Communication with a DVBE community organization nearest the job site, if applicable
4. Documented communication with the DVBE and small businesses describing the work to be performed, the percentage of the total bid, the corresponding dollar amount, and the responses to the communication

The Department forwards your substitution request to the Department of General Services. The Department of General Services issues a notice of approval or denial. The Department provides you this notice.

If you fail to use a listed DVBE without an authorized substitution request, the Department issues a penalty of up to 10 percent of the dollar amount of the work of the listed DVBE.

Maintain records of subcontracts made with DVBEs. Include in the records:

1. Name and business address of each business
2. Total amount paid to each business

For the purpose of determining compliance with Pub Cont Code § 10115 et seq.:

1. Upon work completion, complete and submit *Final Report - Utilization of Disabled Veteran Business Enterprises (DVBE) State Funded Projects Only* form.
2. Upon reasonable notice and during normal business hours, permit access to its premises for the purposes of:
  - 2.1. Interviewing employees.



- 2.2. Inspecting and copying books, records, accounts and other material that may be relevant to a matter under investigation.

**Replace "Reserved" in section 5-1.20C with:**

10-19-12

If the Contract includes an agreement with a railroad company, the Department makes the provisions of the agreement available in the *Information Handout* in the document titled "Railroad Relations and Insurance Requirements." Comply with the requirements in the document.

**Replace section 5-1.20E with:**

05-30-14

**5-1.20E Water Meter Charges**

Section 5-1.20E applies if a bid item for water meter charges is shown on the Bid Item List. The charges are specified in a special provision for section 5-1.20E.

The local water authority will install the water meters.

The charges by the local water authority include:

1. Furnishing and installing each water meter
2. Connecting to the local water authority's main water line, including any required hot tap or tee
3. Furnishing and installing an extension pipe from the main water line to the water meter
4. Sterilizing the extension pipe

Make arrangements and pay the charges for the installation of the water meters.

If a charge is changed at the time of installation, the Department adjusts the lump sum price based on the difference between the specified charges and the changed charges.

**Replace section 5-1.20F with:**

05-30-14

**5-1.20F Irrigation Water Service Charges**

Reserved

**Add between the 2nd and 3rd paragraphs of section 5-1.23A:**

10-19-12

Submit action and informational submittals to the Engineer.

**Add between the 5th and 6th paragraphs of section 5-1.23B(1):**

07-19-13

For a revised submittal, allow the same number of days for review as for the original submittal.

**Delete the 1st sentence in the 10th paragraph of section 5-1.23B(2).**

07-19-13

**Add to the list in the 1st paragraph of section 5-1.36A:**

07-19-13

10. Survey monuments

## 07-20-12

Prevent material, equipment, and debris from falling onto railroad property.

## 07-19-13

Do not resume work near the monument until authorized.

## 10-19-12

10-19-12

10-19-12

AA

## 07-19-13

## 04-19-13

## 16-0336 B 102 of 710



calculations for the temporary facilities and show the standard design criteria or codes used. Shop drawings and supplemental calculations must be sealed and signed by an engineer who is registered as a civil engineer in the State.

**Replace the 2nd paragraph of section 7-1.11A with:**

07-27-12

A copy of form FHWA-1273 is included in section 7-1.11B. The training and promotion section of section II refers to training provisions as if they were included in the special provisions. The Department specifies the provisions in section 7-1.11D of the *Standard Specifications*. If a number of trainees or apprentices is required, the Department shows the number on the *Notice to Bidders*. Interpret each FHWA-1273 clause shown in the following table as having the same meaning as the corresponding Department clause:

**FHWA-1273 Nondiscrimination Clauses**

FHWA-1273 section	FHWA-1273 clause	Department clause
Training and Promotion	In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision.	If section 7-1.11D applies, section 7-1.11D supersedes this subparagraph.
Records and Reports	If on-the-job training is being required by special provision, the contractor will be required to collect and report training data.	If the Contract requires on-the-job training, collect and report training data.

**Replace the form in section 7-1.11B with:**

07-20-12

## REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

### ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

### I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

### II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

**1. Equal Employment Opportunity:** Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

**2. EEO Officer:** The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

**3. Dissemination of Policy:** All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

**4. Recruitment:** When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

**5. Personnel Actions:** Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

**6. Training and Promotion:**

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

**7. Unions:** If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

**8. Reasonable Accommodation for Applicants / Employees with Disabilities:** The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

**9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment:** The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

**10. Assurance Required by 49 CFR 26.13(b):**

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

**11. Records and Reports:** The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor



will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

### III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

### IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

#### 1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. (1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or



will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

## **2. Withholding**

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

## **3. Payrolls and basic records**

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

#### 4. Apprentices and trainees

##### a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

##### b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

**5. Compliance with Copeland Act requirements.** The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

**6. Subcontracts.** The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

**7. Contract termination; debarment.** A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

**8. Compliance with Davis-Bacon and Related Act requirements.** All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

**9. Disputes concerning labor standards.** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

**10. Certification of eligibility.**

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

**V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT**

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

**1. Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

**2. Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

**3. Withholding for unpaid wages and liquidated damages.** The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

**4. Subcontracts.** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

## VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

- (1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
- (2) the prime contractor remains responsible for the quality of the work of the leased employees;
- (3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
- (4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

## VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

## VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:



"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

#### **IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.
2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

#### **X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

##### **1. Instructions for Certification – First Tier Participants:**

- a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.
- b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contract). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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## **2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:**

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **2. Instructions for Certification - Lower Tier Participants:**

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers to any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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**XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

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## 8 PROSECUTION AND PROGRESS

10-19-12

Replace "working days" in the 1st paragraph of section 8-1.02B(1) with:

10-19-12

original working days

Replace "working days" at each occurrence in the 1st paragraph of section 8-1.02C(1) with:

10-19-12

original working days

Delete the 4th paragraph of section 8-1.02C(1).

04-20-12

Replace "Contract" in the 9th paragraph of section 8-1.02C(1) with:

10-19-12

work

Replace the 1st paragraph of section 8-1.02C(3)(a) with:

04-20-12

Submit a description of your proposed schedule software for authorization.

Delete the last paragraph of section 8-1.02C(3)(a).

04-20-12

Replace section 8-1.02C(3)(b) with:

10-19-12

8-1.02C(3)(b) Reserved

Delete the 3rd paragraph of section 8-1.02C(5).

04-20-12

Replace "Contract" in the last paragraph of section 8-1.02C(5) with:

10-19-12

original

Replace "working days" in the 1st paragraph of section 8-1.02D(1) with:

10-19-12

original working days

Replace "8-1.02D(1)" in the 2nd paragraph of section 8-1.02D(1) with:

01-20-12

8-1.02C(1)



**Replace "Contract" in the 3rd paragraph of section 8-1.02D(2) with:**

10-19-12

work

**Replace "Contract" in item 9 in the list in the 4th paragraph of section 8-1.02D(4) with:**

10-19-12

work

**Replace "Contract completion" in the 4th paragraph of section 8-1.02D(6) with:**

10-19-12

work completion

**Replace "Contract working days" in the 4th paragraph of section 8-1.02D(6) with:**

10-19-12

original working days

**Delete items 1.3 and 1.4 in the list in the 1st paragraph of section 8-1.02D(10).**

04-20-12

**Replace the last paragraph of section 8-1.04B with:**

10-19-12

The Department does not adjust time for starting before receiving notice of Contract approval.

**Replace the 1st paragraph of section 8-1.05 with:**

10-19-12

Contract time starts on the last day specified to start job site activities in section 8-1.04 or on the day you start job site activities, whichever occurs first.

**Replace the 2nd paragraph of section 8-1.05 with:**

10-19-12

Complete the work within the Contract time.

**Delete "unless the Contract is suspended for reasons unrelated to your performance" in the 4th paragraph of section 8-1.05.**

10-19-12

**Replace the headings and paragraphs in section 8-1.06 with:**

10-19-12

The Engineer may suspend work wholly or in part due to conditions unsuitable for work progress. Provide for public safety and a smooth and unobstructed passageway through the work zone during the suspension as specified under sections 7-1.03 and 7-1.04. Providing the passageway is force account work. The Department makes a time adjustment for the suspension due to a critical delay.

The Engineer may suspend work wholly or in part due to your failure to (1) fulfill the Engineer's orders, (2) fulfill a Contract part, or (3) perform weather-dependent work when conditions are favorable so that weather-related unsuitable conditions are avoided or do not occur. The Department may provide for a

Upon the Engineer's order of suspension, suspend work immediately. Resume work when ordered.

10-19-12

For a critical delay, the Department may make a time adjustment.

10-19-12

The Department does not make a payment adjustment for overhead incurred during non-working days that extend the Contract into an additional construction season.

10-19-12

For an excusable delay that affects your costs, the Department may make a payment adjustment.

08-05-11

### 8-1.10B and 8-1.10C

10-19-12

**8-1.10D Reserved**

[illegible]

## 9 PAYMENT

01-23-15

07-19-13

3. Any royalties and costs arising from patents, trademarks, and copyrights involved in the work

01-18-13

1. Full compensation for all work involved in each bid item shown on the Bid Item List by the unit of measure shown for that bid item

01-23-15

**Replace "in" in the 3rd paragraph of section 9-1.04A with:**

10-19-12

for

**Add to the end of section 9-1.04A:**

10-19-12

For nonsubcontracted work paid by force account for a contract with a TRO bid item, the markups are those shown in the following table instead of those specified in sections 9-1.04B–D:

Cost	Percent markup
Labor	30
Materials	10
Equipment rental	10

**Replace the heading and the 1st paragraph of section 9-1.04D(3) with:**

01-23-15

**9-1.04D(3) Equipment Not On the Job Site and Not Required for Original Contract Work**

For equipment not on the job site at the time required to perform work paid by force account and not required for original Contract work, the time paid is the time the equipment is operated to perform work paid by force account and the time to return the equipment to its source when the work paid by force account is completed.

**Replace item 2 in the 3rd paragraph of section 9-1.04D(3) with:**

01-23-15

2. Operated less than 4 hours is paid as 1/2 day

**Replace section 9-1.04D(4) with:**

01-23-15

**9-1.04D(4) Equipment Not On the Job Site and Required for Original Contract Work**

For equipment not on the job site at the time required to perform work paid by force account and required for original Contract work, the time paid is the time:

1. To move the equipment to the location of work paid by force account plus an equal amount of time to move the equipment to a location on the job site or its source when the work paid by force account is completed
2. Equipment is operated to perform work paid by force account

04-20-12

**Delete ", Huntington Beach," in the 3rd paragraph of section 9-1.07A.**

**Replace the formula in section 9-1.07B(2) with:**

04-20-12

$$Qh = HMATT \times Xa$$

**Replace "weight of dry aggregate" in the definition of the variable  $X_a$  in section 9-1.07B(2) with:**  
total weight of HMA

04-20-12

**Replace the formula in section 9-1.07B(3) with:**

$$Q_{rh} = R_{HMATT} \times 0.80 \times X_{arb}$$

04-20-12

**Replace "weight of dry aggregate" in the definition of the variable  $X_{arb}$  in section 9-1.07B(3) with:**  
total weight of rubberized HMA

04-20-12

**Replace the heading of section 9-1.07B(4) with:**

**Hot Mix Asphalt with Modified Asphalt Binder**

04-20-12

**Add between "in" and "modified" in the introductory clause of section 9-1.07B(4):**

HMA with

04-20-12

**Replace the formula in section 9-1.07B(4) with:**

$$Q_{mh} = M_{HMATT} \times [(100 - X_{am}) / 100] \times X_{mab}$$

04-20-12

**Replace "weight of dry aggregate" in the definition of the variable  $X_{mab}$  in section 9-1.07B(4) with:**  
total weight of HMA

04-20-12

**Replace the formula in section 9-1.07B(5) with:**

$$Q_{rap} = H_{MATT} \times X_{aa}$$

04-20-12

**Replace "weight of dry aggregate" in the definitions of the variables  $X_{aa}$  and  $X_{ta}$  in section 9-1.07B(5) with:**

total weight of HMA

04-20-12

**Add after the variable definitions in section 9-1.07B(9):**

The quantity of extender oil is included in the quantity of asphalt.

04-20-12

**Replace the headings and paragraphs in section 9-1.11 with:**

10-19-12

**9-1.11A General**

Section 9-1.11 applies if a bid item for time-related overhead is included in the Contract. If a bid item for time-related overhead is included, you must exclude the time-related overhead from every other bid item price.

**9-1.11B Payment Quantity**

The TRO quantity does not include the number of working days to complete plant establishment work.

For a contract with a TRO lump sum quantity on the Bid Item List, the Department pays you based on the following conversions:

1. LS unit of measure is replaced with WDAY
2. Lump sum quantity is replaced with the number of working days bid
3. Lump sum unit price is replaced with the item total divided by the number of working days bid

**9-1.11C Payment Inclusions**

Payment for the TRO bid item includes payment for time-related field- and home-office overhead for the time required to complete the work.

The field office overhead includes time-related expenses associated with the normal and recurring construction activities not directly attributed to the work, including:

1. Salaries, benefits, and equipment costs of:
  - 1.1. Project managers
  - 1.2. General superintendents
  - 1.3. Field office managers
  - 1.4. Field office staff assigned to the project
2. Rent
3. Utilities
4. Maintenance
5. Security
6. Supplies
7. Office equipment costs for the project's field office

The home-office overhead includes the fixed general and administrative expenses for operating your business, including:

1. General administration
2. Insurance
3. Personnel and subcontract administration
4. Purchasing
5. Accounting
6. Project engineering and estimating

Payment for the TRO bid item does not include payment for:

1. The home-office overhead expenses specifically related to:
  - 1.1. Your other contracts or other businesses
  - 1.2. Equipment coordination
  - 1.3. Material deliveries
  - 1.4. Consultant and legal fees
2. Non-time-related costs and expenses such as mobilization, licenses, permits, and other charges incurred once during the Contract
3. Additional overhead involved in incentive/disincentive provisions to satisfy an internal milestone or multiple calendar requirements
4. Additional overhead involved in performing additional work that is not a controlling activity

5. Overhead costs incurred by your subcontractors of any tier or suppliers

#### **9-1.11D Payment Schedule**

For progress payments, the total work completed for the TRO bid item is the number of working days shown for the pay period on the *Weekly Statement of Working Days*.

For progress payments, the Department pays a unit price equal to the lesser of the following amounts:

1. Price per working day as bid or as converted under section 9-1.11B.
2. 20 percent of the total bid divided by the number of original working days

For a contract without plant establishment work, the Department pays you the balance due of the TRO item total as specified in section 9-1.17B.

For a contract with plant establishment work, the Department pays you the balance due of the TRO item total in the 1st progress payment after all non-plant establishment work is completed.

#### **9-1.11E Payment Adjustments**

The 3rd paragraph of section 9-1.17C does not apply.

The Department does not adjust the unit price for an increase or decrease in the TRO quantity except as specified in section 9-1.11E.

Section 9-1.17D(2)(b) does not apply except as specified for the audit report below.

If the TRO bid item quantity exceeds 149 percent of the quantity shown on the Bid Item List or as converted under section 9-1.11B, the Engineer may adjust or you may request an adjustment of the unit price for the excess quantity. For the adjustment, submit an audit report within 60 days of the Engineer's request. The report must be prepared as specified for an audit report for an overhead claim in section 9-1.17D(2)(b).

Within 20 days of the Engineer's request, make your financial records available for an audit by the State for the purpose of verifying the actual rate of TRO described in your audit. The actual rate of TRO described is subject to the Engineer's authorization.

The Department pays the authorized actual rate for TRO in excess of 149 percent of the quantity shown on the Bid Item List or as converted under section 9-1.11B.

The Department pays for 1/2 the cost of the report; the Contractor pays for the other 1/2. The cost is determined under section 9-1.05.

#### **Replace the paragraphs of section 9-1.16D with:**

07-19-13

#### **9-1.16D(1) General**

Section 9-1.16D applies if a bid item for mobilization is shown on the Bid Item List.

Payments for mobilization made under section 9-1.16D are in addition to the partial payments made under Pub Cont Code § 10261.

Section 9-1.16D(2) applies unless the Contract includes a special provision for section 9-1.16D(1) that specifies section 9-1.16D(3) applies.

11-15-13

#### **9-1.16D(2) Mobilization for Projects Except for Those Over Water Requiring Marine Access**

07-19-13

The Department makes partial payments for mobilization under Pub Cont Code § 10264(a) except the amount of work completed does not include the amount earned for mobilization. The partial payment amount is reduced by a prorated amount bid in excess of the maximum allowed under Pub Cont Code § 10264(a)(5).



## **DIVISION II GENERAL CONSTRUCTION**

### **10 GENERAL**

05-30-14

**Replace the headings and paragraphs in section 10 with:**

04-19-13

#### **10-1 GENERAL**

##### **10-1.01 GENERAL**

Section 10 includes general specifications for general construction work.

##### **10-1.02 WORK SEQUENCING**

Before obliterating any traffic stripes, pavement markings, and pavement markers to be replaced at the same location, reference the stripes, markings, and markers. Include limits and transitions with control points to reestablish the new stripes, markings, and markers.

##### **10-1.03 TIME CONSTRAINTS**

Reserved

##### **10-1.04 TRAINING AND MEETINGS**

Training and meetings are held at times and locations you and the Engineer agree to.

##### **10-1.05–10-1.10 RESERVED**

#### **10-2 SUSTAINABLE DESIGN REQUIREMENTS**

##### **10-2.01 GENERAL**

###### **10-2.01A General**

Reserved

###### **10-2.01B–10-2.01H Reserved**

##### **10-2.02 CALGREEN TIER 1**

###### **10-2.02A–10-2.02H Reserved**

##### **10-2.03 LEED**

###### **10-2.03A–10-2.03H Reserved**

#### **10-3 RESERVED**

**Replace section 10-4 with:**

05-30-14

#### **10-4 WATER USAGE**

Section 10-4 includes general specifications for your use of water for construction activities.

The Department encourages you to conserve water in all construction activities.

The Engineer notifies you of any (1) water shortage or (2) mandate from a local water authority to ration water. Within 10 days of the notification, submit a water conservation plan. The plan must include:

1. List of construction activities that require water
2. Measures you will implement for each activity to conserve water
3. Method for curing concrete other than the water method if included in the work
4. Dust palliative you will use for dust control

Any unavailability of water that delays a controlling activity is a material shortage.



05-30-14

Section 10-5 includes general specifications for controlling dust resulting from the work.

Prevent and alleviate dust by:

1. Applying a dust palliative under section 18
2. Applying temporary soil stabilization under section 13-5
3. Managing material stockpiles under section 13-4.03C(3)

## 04-19-13

### 10-6.01 GENERAL

Section 10-6 includes specifications for controlling water to provide a dry working area at the job site.

## 10-6.02 WATER-FILLED COFFERDAM

Reserved

**10-6.03–10-6.10 RESERVED**

**10-7-10-20 RESERVED**

AA

## 11 QUALITY CONTROL AND ASSURANCE

07-19-13

**Replace section 11-2 with:**

07-19-13

**11-2 RESERVED**

**Replace the table in the 3rd paragraph of section 11-3.01A with:**

07-19-13

AWS code	Year of adoption
D1.1	2010
D1.3	2008
D1.4	2011
D1.5	2010
D1.6	2007
D1.8	2009

**Replace "does" in the definition of "continuous inspection" in section 11-3.01B with:**

do

07-19-13

**Replace "gross nonconformance" and its definition in section 11-3.01B with:**

07-19-13

**gross nonconformance:** Rejectable indications are present in more than 20 percent of the tested weld length.

**Replace the introductory clause in the 1st paragraph of section 11-3.01C with:**

07-19-13

Replace clause 6.1.3 of AWS D1.1, the 1st paragraph of clause 7.1.2 of AWS D1.4, and clause 6.1.2 of AWS D1.5 with:

**Replace the 3rd paragraph of section 11-3.01C with:**

07-19-13

For each inspection, including fit-up, WPS verification, and final weld inspection, the QC Inspector must confirm and document compliance with the specifications, AWS welding codes, and any referenced drawings.

**Replace the paragraphs in section 11-3.01D with:**

07-19-13

The Engineer has the authority to verify the qualifications or certifications of any welder, QC Inspector, or NDT personnel to specified levels by retests or other means determined by the Engineer. If welding will be performed without gas shielding, then qualification must also include welding without gas shielding.

Replace clause 6.14.6.1 of AWS D1.1, clause 7.8 of AWS D1.4, and clause 6.1.3.4 of AWS D1.5 with:

Personnel performing NDT must be qualified and certified under American Society for Nondestructive Testing (ASNT) Recommended Practice No. SNT-TC-1A and the written practice of the NDT firm. The written practice of the NDT firm must comply with or exceed the guidelines of the ASNT Recommended Practice No. SNT-TC-1A. Individuals who perform NDT, review the results, and prepare the written reports must be one of the following:

1. Certified NDT Level II technicians
2. Level III technicians certified to perform the work of Level II technicians

**Replace the heading and the 1st through 3rd paragraphs of section 11-3.01E with:**

07-19-13

#### **11-3.01E Weld Joint Details**

If weld joint details proposed for use in the work are not prequalified under clause 3 of AWS D1.1 or figure 2.4 or 2.5 of AWS D1.5, submit the proposed WPS and the intended weld joint locations.

Upon authorization of the proposed joint detail locations and qualification of the proposed joint details, welders and welding operators using these details must weld an additional qualification test plate using the WPS variables and the weld joint detail to be used in production. The test plate must:

1. Have the maximum thickness to be used in production and a minimum length of 18 inches.
2. Be mechanically and radiographically tested. Mechanical and radiographic testing and acceptance criteria must comply with the applicable AWS codes.

If a nonprequalified weld joint configuration is proposed using a combination of WPSs for work welded under AWS D1.1, you may conduct a single test combining the WPSs to be used in production, if the essential variables, including weld bead placement, of each process are limited to those established in table 4.5 of AWS D1.1.

**Replace the 1st paragraph of section 11-3.01F with:**

07-19-13

Replace paragraph 3 of clause 6.26.3.2 of AWS D1.5 with:

3. If indications that exhibit these planar characteristics are present at scanning sensitivity, or other evidence exists to suggest the presence of transverse cracks, a more detailed evaluation of the discontinuity by other means must be performed (e.g., alternate UT techniques, RT, grinding, or gouging for visual inspection or MT of the excavated areas.). For welds that have transverse cracks, excavate the full length of the crack plus 2 inches of weld metal on each side adjacent to the crack and reweld.

**Replace "section" in the 2nd paragraph of section 11-3.01F with:**

07-19-13

clause

**Replace the 1st paragraph of section 11-3.02A with:**

07-19-13

Except for stud welding, section 11-3.02 applies to (1) work welded under sections 49, 52, 55, and 75-1.03E and (2) work in section 99 that must comply with an AWS welding code.

**Replace the 4th through 6th paragraphs of section 11-3.02C(2) with:**

07-19-13

Submit an amended welding QC plan or an addendum to the welding QC plan for any changes to:

1. WPSs
2. NDT firms
3. QC personnel or procedures
4. NDT personnel or procedures
5. Systems for tracking and identifying welds
6. Welding personnel

Allow 15 days for the Engineer's review of an amended welding QC plan or an addendum to the welding QC plan.

Submit 7 copies of each authorized QC plan and any authorized addendums. Make 1 copy available at each location where work is performed.

**Replace the 1st paragraph of section 11-3.02C(3) with:**

07-19-13

Submit a welding report within 7 days following the performance of any welding. The welding report must include:

1. Daily production log for welding for each day that welding is performed
2. Reports of all visual weld inspections and NDT performed, whether specified, additional, or informational
3. Radiographs and radiographic reports, and other required NDT reports
4. Summary of welding and NDT activities that occurred during the reporting period
5. Reports of each application of heat straightening
6. Summarized log listing the rejected lengths of weld by welder, position, process, joint configuration, and piece number

7. Documentation that you have:
  - 7.1. Evaluated all radiographs and radiograph reports and NDT and NDT reports
  - 7.2. Corrected all rejectable deficiencies and that all repaired welds have been reexamined using the required NDT and found acceptable
8. Reports or chart recordings of each application of any stress relieving used
9. Reports and chart recordings for any electroslog welding used

**Add between "radiographic" and "envelopes" in the introductory clause in the 3rd paragraph of section 11-3.02C(3):**

film

07-19-13

**Delete the 3rd sentence in the 5th paragraph of section 11-3.02C(3).**

07-19-13

**Replace the introductory clause in the 1st paragraph of section 11-3.02D with:**

Clauses 6.1.4.1 and 6.1.4.3 of AWS D1.1, the 2nd paragraph of clause 7.1.2 of AWS D1.4, clauses 6.1.3.1 through 6.1.3.3 of AWS D1.5, and clause 7.2.3 of AWS D1.8 are replaced with:

07-19-13

**Replace items 1 and 2 in the list in the 2nd paragraph of section 11-3.02D with:**

1. Work is welded at a permanent fabrication or manufacturing plant that is certified under the AISC Certification Program for Steel Bridge Fabricators, Intermediate Bridges, and Fracture-Critical Member endorsement if required.
2. Structural steel for building construction work is performed at a permanent fabrication or manufacturing plant that is certified under the AISC Quality Certification Program, Category STD, Standard for Steel Building Structures.

07-19-13

**Delete the 3rd paragraph of section 11-3.02D.**

07-19-13

**Replace the 1st sentence in the 4th paragraph of section 11-3.02D with:**

Except for the exempt facilities identified above, an authorized independent third party must witness the qualification tests for welders or welding operators.

07-19-13

**Replace the paragraph in section 11-3.02F with:**

Welding procedures qualification for work welded under AWS D1.5 must comply with clause 5.12 or 5.12.4 of AWS D1.5 and the following:

07-19-13

1. Unless considered prequalified, qualify fillet welds in each position. Conduct the fillet weld soundness test using the essential variables of the WPS as established by the PQR.
2. For qualifying joints that do not comply with figures 2.4 and 2.5 of AWS D1.5, conduct the test complying with figure 5.3 using the welding parameters that were established for the test conducted complying with figure 5.1.

3. Macroetch tests are required for WPS qualification tests, and acceptance must comply with clause 5.19.3 of AWS D1.5.
4. If a nonstandard weld joint is to be made using a combination of WPSs, you may conduct a test under figure 5.3, combining the qualified or prequalified WPSs to be used in production, if the essential variables, including weld bead placement, of each process are limited to those established in table 5.3 of AWS D1.5.
5. Before preparing mechanical test specimens, inspect the PQR welds by visual and radiographic tests. The backing bar must be 3 inches in width and must remain in place during NDT. Results of the visual and radiographic tests must comply with clause 6.26.2 of AWS D1.5 excluding clause 6.26.2.2. All other requirements for clause 5.17 are applicable.

**Add to the list in the 3rd paragraph of section 11-3.02G:**

07-19-13

3. Repairs not included in the welding QC plan

**Replace the 1st sentence of the 4th paragraph of section 11-3.02G with:**

07-19-13

Requests to perform 3rd-time excavations, repairs of cracks, or repairs not included in the welding QC plan must include an engineering evaluation.

AA

## **12 TEMPORARY TRAFFIC CONTROL**

05-30-14

**Replace the 5th paragraph of section 12-3.01A(1) with:**

05-30-14

Repair or replace traffic-handling equipment and devices damaged from any cause during the Contract, including repainting if necessary. The condition of temporary traffic control devices must comply with the current American Traffic Safety Services Association publication "Quality Guidelines for Temporary Traffic Control Devices and Features."

**Replace the 1st paragraph of section 12-3.01A(4) with:**

10-19-12

Category 2 temporary traffic control devices must be on FHWA's list of acceptable, crashworthy Category 2 hardware for work zones. This list is available on FHWA's Safety Program Web site.

**Replace "project" in the 4th paragraph of section 12-3.02C with:**

10-19-12

work

**Add after "Display" in item 4 in the list in the 2nd paragraph of section 12-3.03B:**

04-19-13

or Alternating Diamond

**Replace "project" in the 3rd paragraph of section 12-3.07C with:**

10-19-12

work

**Add to section 12-3:**

07-19-13

**12-3.18 AUTOMATED WORK ZONE INFORMATION SYSTEM**

Reserved

**12-3.19–12-3.25 RESERVED**

**Replace the 7th through 9th paragraphs of section 12-4.02A with:**

07-19-13

If pedestrian traffic is allowed to pass through construction areas, provide a temporary pedestrian facility through the construction areas within the highway. Include protective overhead covering as necessary to ensure protection from falling objects and drippings from overhead structures.

At locations where pedestrian openings through falsework are required, provide a temporary pedestrian facility with protective overhead covering during all bridge construction activities.

Temporary pedestrian facilities must comply with section 12-7.

If an activity requires a closure of a walkway, another walkway must be made available nearby, off of the traveled way.

07-19-13

**Delete the 12th paragraph of section 12-4.02A.**

**Replace section 12-4.03 with:**

07-19-13

**12-4.03 CLOSURE SCHEDULES AND CONDITIONS**

**12-4.03A General**

Submit closure schedule requests and closure schedule amendments using LCS to show the locations and times of the requested closures.

The Department provides LCS training. Request the LCS training at least 30 days before submitting the 1st lane closure request. The Department provides the training within 15 days after your request. The training may be web based.

Except for web-based training, the training is held at a time and location you and the Engineer agree to.

For web-based training, the Engineer provides you the website address to access the training.

Within 5 business days after completion of the training, the Department provides LCS accounts and user identifications to your assigned, trained representatives.

Each representative must maintain a unique password and current user information in the LCS.

**12-4.03B Closure Schedules**

Every Monday by noon, submit a closure schedule request of planned closures for the next week period. The next week period is defined as Sunday noon through the following Sunday noon.

Submit a closure schedule request not less than 25 days and not more than 125 days before the anticipated start of any activity that reduces:

1. Horizontal clearances of traveled ways, including shoulders, to 2 lanes or less due to activities such as temporary barrier placement and paving
2. Vertical clearances of traveled way, including shoulders, due to activities such as pavement overlays, overhead sign installation, falsework, or girder erection

Submit closure schedule amendments, including adding additional closures, by noon at least 3 business days before a planned closure.

Cancel closure requests using LCS at least 48 hours before the start time of the closure.

You will be notified through LCS of unauthorized closures or closures that require coordination with other parties as a condition for authorization.

The Engineer may reschedule a closure cancelled due to unsuitable weather.

If a closure is not opened to traffic by the specified time, suspend work. No further closures are allowed until the Engineer has reviewed and authorized a work plan submitted by you that ensures that future closures will be opened to traffic by the specified time. Allow 2 business days for review of your proposed work plan. The Department does not compensate you for your losses due to the suspension of work resulting from the late opening of closures.

Notify the Engineer of delays in your activities caused by:

1. Your closure schedule request being denied although your requested closures are within the specified time frame allowed for closures. The Department does not compensate you for your losses due to amendments to the closure schedule that are not authorized.
2. Your authorized closure being denied.

If you are directed to remove a closure before the time designated in the authorized closure schedule, you will be compensated for the delay.

#### **12-4.03C Contingency Plan**

Section 12-4.03C applies if a contingency plan is specified in the special provisions or if a contingency plan is requested.

If a contingency plan is requested, submit the contingency plan within 1 business day of the request.

The contingency plan must identify the activities, equipment, processes, and materials that may cause a delay in the opening of a closure to traffic. The plan must include:

1. List of additional or alternate equipment, materials, or workers necessary to ensure continuing activities and on-time opening of closures if a problem occurs. If the additional or alternate equipment, materials, or workers are not on site, specify their location, the method for mobilizing these items, and the required time to complete mobilization.
2. General time-scaled logic diagram displaying the major activities and sequence of planned operations. For each activity, identify the critical event when the contingency plan will be activated.

Based on the Engineer's review, additional materials, equipment, workers, or time to complete activities from that specified in the contingency plan may be required.

Submit revisions to a contingency plan at least 3 business days before starting the activity requiring a contingency plan. Allow 2 business days for review of the revised contingency plan.

**Replace section 12-7 with:**

07-19-13

### **12-7 TEMPORARY PEDESTRIAN FACILITIES**

#### **12-7.01 GENERAL**

Section 12-7 includes specifications for constructing temporary pedestrian facilities.

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
April 2017

County of El Dorado  
**Appendix A - RSS**  
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**Add to the list in the 1st paragraph of section 13-1.01D(3)(b):**

10-21-11

3. Have completed SWRCB approved QSD training and passed the QSD exam

**Add to the list in the 2nd paragraph of section 13-1.01D(3)(b):**

10-21-11

3. Have completed SWRCB approved QSP training and passed the QSP exam

**Replace "NEL violation" in item 3.6.2 in the list in the 1st paragraph of section 13-1.01D(3)(c) with:**

04-19-13

receiving water monitoring trigger

**Replace the 1st paragraph in section 13-2.01B with:**

04-19-13

Within 7 days after Contract approval, submit 2 copies of your WPCP for review. Allow 5 business days for review.

After the Engineer authorizes the WPCP, submit an electronic copy and 3 printed copies of the authorized WPCP.

If the RWQCB requires review of the authorized WPCP, the Engineer submits the authorized WPCP to the RWQCB for its review and comment. If the Engineer orders changes to the WPCP based on the RWQCB's comments, amend the WPCP within 3 business days.

**Replace the 1st paragraph in section 13-3.01B(2)(a) with:**

04-19-13

Within 15 days of Contract approval, submit 3 copies of your SWPPP for review. The Engineer provides comments and specifies the date when the review stopped if revisions are required. Change and resubmit a revised SWPPP within 15 days of receiving the Engineer's comments. The Department's review resumes when a complete SWPPP has been resubmitted.

When the Engineer authorizes the SWPPP, submit an electronic copy and 4 printed copies of the authorized SWPPP.

If the RWQCB requires review of the authorized SWPPP, the Engineer submits the authorized SWPPP to the RWQCB for its review and comment. If the Engineer requests changes to the SWPPP based on the RWQCB's comments, amend the SWPPP within 10 days.

**Replace "NELs" in item 3.1 in the 3rd paragraph of section 13-3.01B(2)(a) with:**

04-19-13

receiving water monitoring triggers

**Replace section 13-3.01B(6)(c) with:**

04-19-13

**13-3.01B(6)(c) Receiving Water Monitoring Trigger Report**

Whenever a receiving water monitoring trigger is exceeded, notify the Engineer and submit a receiving water monitoring trigger report within 48 hours after conclusion of a storm event. The report must include:

1. Field sampling results and inspections, including:

- 1.1. Analytical methods, reporting units, and detection limits
- 1.2. Date, location, time of sampling, visual observation and measurements
- 1.3. Quantity of precipitation from the storm event
2. Description of BMPs and corrective actions

**Replace "NEL" in the 6th paragraph of section 13-3.01C(1) with:**

04-19-13

receiving water monitoring trigger

**Replace section 13-3.01C(3) with:**

04-19-13

**13-3.01C(3) Receiving Water Monitoring Trigger**

For a risk level 3 project, receiving water monitoring triggers must comply with the values shown in the following table:

<b>Receiving Water Monitoring Trigger</b>				
Parameter	Test method	Detection limit (min)	Unit	Value
pH	Field test with calibrated portable instrument	0.2	pH	Lower limit = 6.0 Upper limit = 9.0
Turbidity	Field test with calibrated portable instrument	1	NTU	500 NTU max

The storm event daily average for storms up to the 5-year, 24-hour storm must not exceed the receiving water monitoring trigger for turbidity.

The daily average sampling results must not exceed the receiving water monitoring trigger for pH.

**Delete "and NELs are violated" in the 3rd paragraph of section 13-3.03C.**

04-19-13

**Replace "working days" at each occurrence in section 13-3.04 with.**

original working days

10-19-12

**Delete the 1st sentence in the 2nd paragraph of section 13-4.03C(3).**

04-19-13

**Add between the 2nd and 3rd paragraphs of section 13-4.03C(3):**

04-19-13

Manage stockpiles by implementing water pollution control practices on:

1. Active stockpiles before a forecasted storm event
2. Inactive stockpiles according to the WPCP or SWPPP schedule

	<b>Delete the 7th paragraph of section 13-4.03C(3).</b>	05-30-14
	<b>Replace the heading of section 13-4.03E(1) with:</b>	05-30-14
<b>General</b>		
	<b>Delete the 1st through 5th sentences in the 2nd paragraph of section 13-4.03E(1).</b>	05-30-14
	<b>Replace the 1st sentence of the 1st paragraph of section 13-4.03E(3) with:</b>	05-30-14
	Limit vehicle and equipment cleaning or washing at the job site to that needed for safety and protection of the equipment and compliance with PLACs.	
	<b>Replace the paragraph in section 13-4.04 with:</b>	04-20-12
<b>Not Used</b>		
	<b>Replace "20-7.02D(6)" in section 13-5.02C with:</b>	07-19-13
<b>20-5.03E</b>		
	<b>Delete "or stockpile" in the 3rd paragraph of section 13-5.02F.</b>	10-19-12
	<b>Replace "20-7.03I(10)" in section 13-5.03C with:</b>	07-19-13
<b>20-5.03E(3)</b>		
	<b>Replace section 13-5.03F with:</b>	04-20-12
<b>13-5.03F Reserved</b>		
	<b>Delete "or stockpile" in item 1 in the list in the 1st paragraph of section 13-5.03K.</b>	10-19-12
	<b>Delete the 3rd paragraph of section 13-5.03K.</b>	10-19-12
	<b>Replace the 2nd sentence in the 1st paragraph of section 13-9.01A with:</b>	10-19-12
	You may use any of the following systems for temporary concrete washout:	
	1. Temporary concrete washout facility	
Meyers Stream Environment Zone/ Erosion Control Project		County of El Dorado
<b>Contract No. PW 16-31121, CIP No. 95179, P&amp;C No. 087-C1799</b>		<b>Appendix A - RSS</b>
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**Replace section 15-2.02B(4)(b) with:**

07-19-13

**15-2.02B(4)(b) Reserved**

**Add to section 15-2.02B:**

07-19-13

**15-2.02B(5) Remove Concrete Pavement**

**15-2.02B(5)(a) General**

Remove only the portion of pavement to be replaced or repaired during the same lane closure. If there is overlying material on the concrete pavement, remove it with the pavement.

Do not impact the surface within 18 inches of the pavement to remain in place. Use removal methods that do not damage the remaining pavement and base. Slab-lifting equipment must attach to the pavement.

Instead of disposing of removed concrete pavement by removing it from the job site, you may dispose of it under section 15-3.01.

**15-2.02B(5)(b) Saw Cuts**

Saw cut using a diamond blade and make cuts perpendicular to the pavement surface. Saw cutting is not required where concrete pavement is adjacent to asphalt concrete pavement.

Saw cut (1) no more than 2 days before removing pavement and (2) such that traffic will not dislodge any pavement piece or segment. Saw cut perpendicular to the traveled way except you may cut parallel or diagonal to the traveled way when removing the pavement during the same lane closure as the saw cutting.

You may make additional saw cuts within the sawed outline.

Saw cuts must be the full depth of the pavement unless otherwise shown.

Saw cut at longitudinal and transverse joints to remove entire slabs. For partial-slab areas, the Engineer determines the exact saw-cut locations.

**15-2.02B(5)(c) Reserved**

**15-2.02B(6) Reserved**

**15-2.02B(7) Payment**

Reserved

**Replace section 15-2.02G with:**

07-19-13

**15-2.02G Remove Guardrail**

Where removing guardrail, remove any concrete anchors and steel foundation tubes.

**Replace the 1st paragraph of section 15-2.02K with:**

07-19-13

Box culverts, concrete pipes, inlets, headwalls, and endwalls must be completely removed if any portion of these structures is (1) within 3 feet of the grading plane in excavation areas, (2) within 1 foot of original ground in embankment areas, or (3) shown to be removed.

**Replace "Metal beam guard railing" in the table in the 2nd paragraph of section 15-2.03A(2)(a) with:**

07-19-13

Guardrail

**Replace the heading of section 15-2.03B with:**

07-19-13

Salvage Guardrail

**Replace the heading of section 15-2.04D with:**

07-19-13

Reconstruct Guardrail

**Replace section 15-2.09D with:**

07-19-13

15-2.09D Reserved

**Replace the 4th paragraph of section 15-2.10B with:**

01-18-13

Instead of using new materials similar in character to those in the existing structure, you may use raising devices to adjust a manhole to grade. Before starting paving work, measure and fabricate raising devices. Raising devices must:

1. Comply with the specifications for section 75 except that galvanizing is not required
2. Have a shape and size that matches the existing frame
3. Be match marked by painting identification numbers on the device and corresponding structure
4. Result in an installation that is equal to or better than the existing one in stability, support, and nonrocking characteristics
5. Be fastened securely to the existing frame without projections above the surface of the road or into the clear opening

**Replace the heading of section 15-2.10D with:**

07-19-13

Adjust Guardrail

**Replace the paragraphs of section 15-3.01 with:**

07-19-13

Section 15-3 includes specifications for removing all or a portion of a concrete facility.

Concrete facilities include curbs, gutters, gutter depressions, sidewalks, driveways, slope paving, island paving, barriers, retaining walls, sound walls, minor structures, aprons, spillways, and dams.

Where broken-concrete slope protection is shown, use removed concrete for the construction of the broken-concrete slope protection.

Instead of disposing of removed concrete by removing it from the job site, you may dispose of it on the job site by one of the following methods:

1. Burying it in embankments at authorized locations. Removed concrete must be broken into pieces that can be readily handled and incorporated into embankments and placed at a depth of at least 3

- feet below finished grade and slope lines. Concrete must not be buried in areas where piling is to be placed or within 10 feet of trees, pipelines, poles, buildings or other permanent objects or structures.
2. Placing it at authorized locations. The removed concrete must not present an unsightly appearance from the highway.

**Replace the paragraph of section 15-3.02 with:**

07-19-13

Not Used

**Delete the 5th paragraph of section 15-3.03.**

07-19-13

**Add to the end of section 15-4.01A(2):**

04-19-13

Allow 20 days for review of the bridge removal work plan.

**Replace the 2nd sentence of the 3rd paragraph of section 15-4.02C(1) with:**

10-17-14

Paint exposed ends of the remaining reinforcement with 2 applications of organic zinc-rich primer as specified for painting exposed ends of prestressing steel in section 50-1.03B(3).

**Replace the 1st paragraph of section 15-5.01C(1) with:**

10-19-12

Before starting deck rehabilitation activities, complete the removal of any traffic stripes, pavement markings, and pavement markers.

**Replace the 2nd and 3rd paragraphs of section 15-5.01C(2) with:**

10-19-12

Perform the following activities in the order listed:

1. Abrasive blast the deck surface with steel shot. Perform abrasive blasting after the removal of any unsound concrete and placement of any rapid setting concrete patches.
2. Sweep the deck surface.
3. Blow the deck surface clean using high-pressure air.

**Replace the 2nd paragraph of section 15-5.01C(4) with:**

10-19-12

Before removing asphalt concrete surfacing, verify the depth of the surfacing at the supports and midspans of each structure (1) in each shoulder, (2) in the traveled way, and (3) at the roadway crown, if a crown is present.

04-19-13

**Delete "and concrete expansion dams" in the 3rd paragraph of section 15-5.01C(4).**

**Replace the 2nd paragraph of section 15-5.03A(2) with:**

10-19-12

For a contract with less than 60 original working days, submit certificates of compliance for the filler material and bonding agents.

**Replace "51-1.02C" in the 1st paragraph of section 15-5.03B with:**

04-19-13

51-1.02F

**Replace the 4th paragraph of section 15-5.03B with:**

10-19-12

For a contract with less than 60 original working days, alternative materials must be authorized before use.

**Add between the 5th and 6th paragraphs of section 15-5.03C:**

10-19-12

The final surface finish of the patched concrete surface must comply with section 51-1.03F.

**Delete the 4th paragraph of section 15-5.05C.**

10-19-12

**Replace "51-1.03F(5)" in the 3rd paragraph of section 15-5.06C(1) with:**

07-19-13

51-1.01D(4)(b)

**Replace "51-1.03E(5)" in the 5th paragraph of section 15-5.06C(1) with:**

10-19-12

51-1.03F(5)

**Delete the 9th paragraph of section 15-5.06C(1).**

10-19-12

**Delete the 15th paragraph of section 15-5.06C(1).**

04-19-13

**Add between the 18th and 19th paragraphs of section 15-5.06C(1):**

07-19-13

Texture the polyester concrete surface before gelling occurs by longitudinal tining under 51-1.03F(5)(b)(iii), except do not perform initial texturing.

**Replace section 15-5.06C(2) with:**

04-19-13

**15-5.06C(2) Reserved**



**Delete the 3rd paragraph of section 15-5.06D.**

**Replace the 1st paragraph in section 15-5.07B(4) with:**

Payment for furnishing dowels is not included in the payment for core and pressure grout dowel.

**Replace section 15-5.09 with:**

## **15-5.09 POLYESTER CONCRETE EXPANSION DAMS**

### **15-5.09A General**

Section 15-5.09 includes specifications for constructing polyester concrete expansion dams.

Polyester concrete expansion dams must comply with the specifications for polyester concrete overlays in section 15-5.06, except a trial slab is not required.

Reinforcement must comply with section 52.

### **15-5.09B Materials**

Not Used

### **15-5.09C Construction**

For new asphalt concrete overlays, place the asphalt concrete overlay before starting polyester concrete activities. Saw cut and remove asphalt concrete at expansion dam locations.

For existing asphalt concrete overlays, remove expansion dams and asphalt concrete to the limits shown. Removing expansion dams must comply with section 15-4 except a bridge removal work plan is not required.

Where a portion of the asphalt concrete overlay is to remain, saw cut a 2-inch-deep neat line along the edge to remain in place before removing the asphalt concrete. Do not damage the existing surfacing to remain in place.

Prepare the deck surface under section 15-5.01C(2).

You may use a mechanical mixer to mix the polyester concrete for expansion dams. The mixer capacity must not exceed 9 cu ft unless authorized. Initiate the resin and thoroughly blend it immediately before mixing it with the aggregate. Mix the polyester concrete for at least 2 minutes before placing.

The application rate of methacrylate resin must be approximately 100 sq ft/gal.

You may place and finish expansion dams using hand methods.

Protect expansion dams from moisture, traffic, and equipment for at least 4 hours after finishing.

For expansion dams over 6 feet long, install 1/4-inch-wide joint material at 6-foot intervals across the width of the expansion dam. Joint material must be either expanded polyurethane or expanded polyethylene.

### **15-5.09D Payment**

Not Used

**Add to section 15-6.01A(3)(a):**

Within 5 days of completing annular space grouting at a culvert, submit the grouting records.

07-19-13

07-19-13

01-18-13

07-19-13

07-19-13

[illegible]

07-19-13

07-19-13

07-19-13

[illegible]

## **18 DUST PALLIATIVE**

05-30-14

**Replace section 18 with:**

05-30-14

## **18 DUST PALLIATIVES**

### **18-1.01 GENERAL**

#### **18-1.01A Summary**

Section 18 includes specifications for applying dust palliatives.

The dust palliative must be any of the following:

1. Water
2. Dust suppressant
3. Dust control binder

Water must comply with section 17.

#### **18-1.01B Definitions**

Reserved

#### **18-1.01C Submittals**

If a dust suppressant or dust control binder is to be used, submit a dust treatment plan at least 15 days before starting job site activities. The dust treatment plan must include:

1. Product name and type
2. Manufacturer's name
3. Polymer emulsion type if synthetic polymer emulsion is used, including identification of:
  - 3.1. Individual components greater than 5 percent by volume in blends of polymers of different compositions
  - 3.2. Additives greater than 2 by volume
4. MSDS
5. Proposed methods for applying products
6. Application rates and number of passes
7. Required weather conditions for application, including ambient and surface temperatures, wind conditions, and allowable period before expected precipitation
8. Drying time or curing time required before traffic is allowed on the treated surface

Submit the manufacturer's instructions for the material to be used as an informational submittal.

Submit a certificate of compliance for the dust suppressant, dust control binders, and fibers.

For dust suppressants, include with the certificate of compliance:

1. Test results verifying compliance with the quality characteristic requirements in section 18-1.01D. The results must be from a test conducted within 6 months before the date of the certificate of compliance.
2. Test results from a test conducted within 2 years before the date of the certificate of compliance verifying compliance with the following environmental requirements:
  - 2.1. Maximum constituent concentration levels
  - 2.2. US EPA regulatory requirements for:
    - 2.2.1. Volatile organic compounds
    - 2.2.2. Semivolatile organic compounds
    - 2.2.3. Toxicity characteristic leaching
    - 2.2.3. Modified synthetic leaching procedure
  - 2.3. Aquatic toxicity

#### **18-1.01D Quality Control and Assurance**

Dust palliatives must comply with US EPA requirements and RWQCB requirements for soil stabilizers.

Dust suppressants must be tested by an EPA-accredited laboratory. Liquid chemical treatments must be tested before dilution. Solid products must be mixed with water to a 25 percent concentration before testing. The chemical constituent concentration for each dust suppressant must not exceed the maximum levels shown in the following table:

<b>Maximum Constituent Concentration Levels</b>		
Constituent	Test method	Requirement maximum level (ppm)
Arsenic	EPA Method 200.7	5.0
Barium		100.0
Cadmium		0.2
Chromium		1.0
Copper		1.0
Lead		1.0
Mercury	EPA Method 245.1	0.05
Selenium	EPA Method 200.7	5.0
Zinc		10.0
Phosphorus	EPA Method 365.4	2500.0
Cyanide	EPA Method 335.4	0.2

Dust suppressants must comply with the US EPA requirements for the quality characteristics when tested under the test methods shown in the following table:

Quality characteristic	Test method
Volatile organic compounds (VOC)	EPA Method 8260
Semivolatile organic compounds (SVOC)	EPA Method 8270
Toxicity characteristic leaching procedure	EPA Method 1311
Modified synthetic leaching procedure	EPA Method 1312

The aquatic toxicity for dust suppressant must comply with the requirements shown in the following table:

<b>Aquatic Toxicity Requirements</b>		
Quality characteristic	Test method	Requirement
Aquatic toxicity <sup>a</sup> (LC50 min, ppm)	ASTM E729 or EPA Method 600/4-90/027F and EPA Method 600/4-91/002	10
Aquatic toxicity <sup>a</sup> (rating)	ASTM E729 or EPA Method 600/4-90/027F and EPA Method 600/4-91/002	slightly toxic or better
Renewal toxicity <sup>b</sup> (LC50 min, ppm)	ASTM E1295	10
Renewal toxicity <sup>b</sup> (rating)	ASTM E1295	slightly toxic or better

<sup>a</sup>Using *Ceriodaphnia dubia* (water flea), *Oncorhynchus mykiss* (rainbow trout), *Pimephales promelas* (fathead minnow), and *Americamysis bahia* (mysid shrimp)

<sup>b</sup>Using *Ceriodaphnia dubia* (water flea)

## 18-1.02 MATERIALS

### 18-1.02A General

Dust suppressants and control binders must be either (1) miscible in water or (2) a material that is directly applied to the surface without mixing with water.

## 18-1.02B Dust Suppressants

### 18-1.02B(1) General

Dust suppressants must be one of the following:

1. Petroleum-based organic product
2. Nonpetroleum-based organic product
3. Hygroscopic product
4. Synthetic polymer emulsions

### 18-1.02B(2) Petroleum-Based Organic Products

Petroleum-based organic dust suppressants must be asphalt emulsion, petroleum resin, base oil, mineral oil, or synthetic fluid.

Asphalt emulsion must be Grade SS1h.

Petroleum resin must comply with the requirements shown in the following table:

Petroleum Resin Requirements		
Quality characteristic	Test method	Requirement
Residue (min, %)	ASTM D6934	60
pH	ASTM D1429	4.0–7.0
Specific gravity at 16 °C (min)	ASTM D1298	1.00
Kinematic viscosity at 25 °C (min, Saybolt Furol seconds <sup>a</sup> )	ASTM D2170	188
Flash point (min °C)	ASTM D92	205
Particle charge test	ASTM D7402	Positive

<sup>a</sup> Use ASTM D2161 to convert the mm<sup>2</sup>/s value to Saybolt Furol seconds

Base and mineral oils must comply with the requirements shown in the following table:

Base and Mineral Oils Requirements		
Quality characteristic	Test method	Requirement
Base and mineral oil content (min, %)	-	75
Specific gravity at 16 °C (min)	ASTM D1298	0.85–0.90
Brookfield absolute viscosity at 68 °C (max, cP)	ASTM D2196	250
Flash point (min, °C)	ASTM D93	150

Synthetic fluids must comply with 40 CFR 35 and the requirements shown in the following table:

Synthetic Fluids Requirements		
Quality characteristic	Test method	Requirement
Base and mineral oil content (min, %)	--	75
Specific gravity at 16 °C (min)	ASTM D1298	0.85–0.90
Brookfield absolute viscosity at 68 °C (max, cP)	ASTM D2196	250
Flash point (min, °C)	ASTM D93	150

### 18-1.02B(3) Nonpetroleum-Based Organic Products

Nonpetroleum-based organic dust suppressants must be lignosulfonate, plant oil, or tall oil pitch rosin.

Lignosulfonate must comply with the requirements shown in the following table:

### Lignosulfonate Requirements

Quality characteristic	Test method	Requirement
Lignin sulfonate content ready to use (min, %)	ASTM D4900	25
Residue total solids content (min %)	ASTM D4903 or D2834	52
Lignin sulfonate content of residue (min, %)	--	50
Reducing sugars content of residue (min, %)	ASTM D5896 or D6406	25
pH	ASTM D1293	6.0–9.0
Specific gravity (min)	ASTM D1429	1.20
Brookfield absolute viscosity at 25° C (max, cP)	ASTM D2196	1,000

Plant oil must comply with the requirements shown in the following table:

### Plant Oil Requirements

Quality characteristic	Test method	Requirement
Residue active solids content (min, %)	ASTM D4903	50
Specific gravity (min)	ASTM D1429	0.93
Brookfield viscosity (cP)	ASTM D2196	48

Tall oil pitch rosin must comply with the requirements shown in the following table:

### Tall Oil Pitch Rosin Requirements

Quality characteristic	Test method	Requirement
Rosin acid content (min, %)	ASTM D1240	10
Residue active solids content (min, %)	ASTM D2834	45
pH	ASTM D1293	3.0–9.0
Specific gravity (min)	ASTM D1429	1.00
Brookfield absolute viscosity at 25 °C (cP)	ASTM D2196	50–200

### 18-1.02B(4) Hygroscopic Products

Hygroscopic dust suppressants must be calcium chloride, calcium chloride flake, or magnesium chloride.

Calcium chloride must comply with the requirements shown in the following table:

### Calcium Chloride<sup>a</sup> Requirements

Quality characteristic	Test method	Requirement
Calcium chloride content (%)	ASTM E449	28–42
Total magnesium as MgCl <sub>2</sub> (max, %)	ASTM E449	6.0
Total alkali chlorides as NaCl (max, %)	ASTM E449	6.0
Calcium hydroxide content (max, %)	ASTM E449	0.2
pH with 5 percent solution	ASTM D1293	7.0–9.0
Specific gravity	ASTM D1429	1.28–1.44

<sup>a</sup>ASTM D98 or AASHTO M144

Calcium chloride flake must comply with the requirements shown in the following table:

**Calcium Chloride Flake<sup>a</sup> Requirements**

Quality characteristic	Test method	Requirement
Calcium chloride content (%)	ASTM E449	28–42
Total magnesium as MgCl <sub>2</sub> (max, %)	ASTM E449	6.0
Total alkali chlorides as NaCl (max, %)	ASTM E449	6.0
Calcium hydroxide content (max, %)	ASTM E449	0.2
pH with 5 percent solution	ASTM D1293	7.0–9.0
Gradation percent passing	ASTM C136	
3/8–inch sieve		100
#4 sieve		80–100
#30 sieve		0–5

<sup>a</sup>ASTM D98 or AASHTO M144

Magnesium chloride must comply with the requirements shown in the following table:

**Magnesium Chloride Requirements**

Quality characteristic	Test method	Requirement
Magnesium chloride content (%)	ASTM D4691 or ASTM D511 <sup>a</sup>	28–33
Sulfate content as magnesium sulfate (max, %)	ASTM D4691 <sup>a</sup>	4.0
Potassium content as potassium chloride (max, %)	ASTM E449	0.5
Sodium chloride content (max, %)	ASTM E449	1.0
pH with 5% solution	ASTM D1293	7.0–9.0
Specific gravity	ASTM D1429	1.31 ± 0.02

<sup>a</sup>You may use another appropriate atomic absorption spectrophotometry method such as that in *Standard Methods for the Examination of Water and Waste Water* by APHA-AWWA-WPCF.

#### 18-1.02B(5) Synthetic Polymer Emulsions

Synthetic polymer emulsions must comply with the requirements shown in the following table:

**Synthetic Polymer Emulsion Requirements**

Quality characteristic	Test method	Requirement
Residue active solids content (min, %)	ASTM D2834	40
pH	ASTM D1429	4.0–9.5
Specific gravity at 16 °C	ASTM D1298	1.00–1.15
Brookfield absolute viscosity (max, cP)	ASTM D2196	1,000
Polymer film tensile strength – dry (psi)	ASTM D412	500
Retained coagulum on #100 sieve (max, %)	ASTM D1417	0.1
Ash content (max, %)	ASTM D5040	2

### **18-1.02C Dust Control Binders**

Dust control binders must comply with the specifications for a general purpose tackifier in section 21-1.02F(1).

Fibers must comply with section 21-1.02E.

### **18-1.03 CONSTRUCTION**

#### **18-1.03A General**

Monitor dust conditions and apply dust palliative for dust control as described and as ordered. Reapply dust palliative at any time to control dust.

Apply a dust suppressant to:

1. Temporary haul roads
2. Construction staging, material storage, and layout areas
3. Compacted soil or aggregate base roads or driveways
4. Paved surfaces

Apply a dust control binder to:

1. Rough-graded soils
2. Completed slopes
3. Soil stockpiles unless another practice is already used

Do not use a dust suppressant or dust control binder within 100 feet of a wetland or body of water.

#### **18-1.03B Equipment**

Apply dust suppressants that are miscible in water with either (1) a pressure-type water distributor truck equipped with a spray system or (2) a pressure-type asphalt distributor truck as specified in section 93-1.03C.

Apply dust suppressant flakes to the surface using a spreader or spinner disk.

Apply dust control binders with either (1) a pressure-type water distributor truck equipped with a spray system or (2) hydraulic spray equipment as specified for applying hydromulch in section 21-1.03E.

#### **18-1.03C Mixing and Application Rates**

Use the mix proportions and application rate for the corresponding dust suppressant as shown in the following table:



Dust suppressant	Mix proportions	Application rate
Asphaltic emulsion, Grade SS1H	5 parts water to 1 part emulsion	0.20–1.0 gal/sq yd
Petroleum resin emulsion	5 parts water to 1 part emulsion	0.20–1.0 gal/sq yd
Base and mineral oil	Apply undiluted	0.30–0.35 gal/sy yd
Lignosulfonate	1 part water to 1 part concentrate	1.0 gal/sq yd
Plant oil	Apply undiluted	0.25–0.50 gal/sq yd
Tall oil pitch rosin	5 parts water to 1 part emulsion for clayey soil and 10 parts water to 1 part emulsion for sandy soil.	0.30–1.0 gal/sq yd
Calcium chloride solution (Hygroscopic)	Apply undiluted	0.20–0.35 gal/sq yd
Calcium chloride flakes (Hygroscopic)	--	1.0–1.5 lb/sq yd
Magnesium chloride (Hygroscopic)	Apply undiluted	0.30–0.50 gal/sq yd
Synthetic polymer emulsion	9 parts water to 1 part concentrate	0.50 gal/sq yd

Apply hygroscopic materials under the manufacturer's instructions.

Apply calcium chloride flakes to a moist surface.

Allow surfaces treated with a dust suppressant to cure before opening to traffic.

Use the mix proportions and application rate for the corresponding dust control binder as shown in the following table:

Dust control binder	Mix proportions	Application rate
Guar	11 to 15 pounds per 1,000 gallons of water	44–59 lb/acre
Psyllium	Enough water to allow for uniform slurry flow	80–200 lb/acre
Starch	Manufacturer's recommended mix proportions with water	150 lb/acre
Liquid acrylic copolymers and polymers <sup>a</sup>	10 parts water to 1 part polymer	1,175 gal/acre
Liquid methacrylate and acrylate polymers	Manufacturer's recommended mix proportions with water	20 gal/acre
Copolymers of sodium acrylates and acrylamides	Manufacturer's recommended mix proportions with water	3–10 lb/acre
Polyacrylamide and copolymer of acrylamide	10 pounds per 1,000 gallons of water	5 lb/acre
Hydro-colloid polymers	Manufacturer's recommended mix proportions with water	54–64 lb/acre

<sup>a</sup>Mix and handle the polymeric compound in a manner that will not cause foaming. You may add an antifoaming agent.

Do not allow stormwater runoff from polyacrylamide treated soils unless water passes through:

1. Sediment basin if the total drainage area is greater than or equal to 5 acres.
2. Sediment trap or a series of check dams if the total drainage area is less than 5 acres. Maximize the number of check dams used and space them evenly in the drainage channel so as to maximize sediment settlement.

You may add fibers to dust control binders at a rate of 2,000 lb/acre.

You may use reduced application rates when reapplying dust palliatives if authorized.

#### **18-1.04 PAYMENT**

Not Used

AA

### **19 EARTHWORK**

10-17-14

**Replace "20-3.03B(4)" in the 2nd paragraph of section 19-1.01A with:**

20-2.02C(2)

07-19-13

**Replace the 3rd paragraph in section 19-2.01A with:**

Pavement removal within the limits of roadway excavation must comply with section 15-2.02B.

07-19-13

**Delete the 2nd paragraph in section 19-2.03A.**

07-19-13

**Add to the 2nd paragraph of section 19-2.03D:**

Topsoil must comply with section 21.

10-17-14

**Replace the 2nd paragraph of section 19-3.01A(2)(b) with:**

For cofferdams on or affecting railroad property, allow 85 days for review.

07-01-11

**Add to the list in the 1st paragraph of section 19-3.01A(2)(d):**

9. Provisions for discontinuous rows of soil nails

01-20-12

**Replace "sets" in the 3rd and 4th paragraphs of section 19-3.01A(2)(d) with:**

copies

04-19-13

**Add to section 19-3.01A(3)(b):**

01-20-12

For soil nail walls, wall zones are specified in the special provisions.

For ground anchor walls, a wall zone is the entire wall unless otherwise specified in the special provisions.

**Delete the 2nd sentence in the 4th paragraph of section 19-3.01A(3)(b).**

01-20-12

**Replace "90" in the paragraph of section 19-3.02G with:**

01-18-13

90-1

**Add to section 19-3.02:**

07-19-13

**19-3.02I Filter Fabric**

Filter fabric must be Class A.

**Replace the heading of section 19-3.03C with:**

04-19-13

**19-3.03B(4) Cofferdams**

**Replace the heading of section 19-3.03D with:**

04-19-13

**19-3.03B(5) Water Control and Foundation Treatment**

**Replace the 1st paragraph of section 19-3.03E(3) with:**

01-20-12

Compact structure backfill behind lagging of soldier pile walls by hand tamping, mechanical compaction, or other authorized means.

**Add to the end of section 19-3.03E(3):**

07-19-13

If filter fabric is shown behind the lagging:

1. Immediately before placing the filter fabric, remove any loose or extraneous material and sharp objects from the surface to receive the filter fabric.
2. Handle and place the filter fabric under the manufacturer's instructions. Stretch, align, and place the fabric without wrinkling.
3. Stitch the adjacent borders of filter fabric or overlap the adjacent borders by 12 to 18 inches. If stitching the border, use yarn of a contrasting color. Yarn size and composition must be as recommended by the fabric manufacturer. Use 5 to 7 stitches per inch of seam.
4. Repair any damaged filter fabric by placing a piece of filter fabric large enough to cover the damaged area and comply with the overlapping or stitching requirements.

**Replace the 2nd paragraph of section 19-3.03F with:**

01-20-12

Do not backfill over or place material over slurry cement backfill until 4 hours after placement. When concrete sand is used as aggregate and the in-place material is free draining, you may start backfilling as soon as the surface water is gone.

**Add between the 2nd and 3rd paragraphs of section 19-3.03K:**

01-20-12

Before you excavate for the installation of ground anchors in a wall zone:

1. Complete stability testing
2. Obtain authorization of test data

**Replace the 2nd sentence of the 7th paragraph of section 19-3.03K:**

01-20-12

Stop construction in unstable areas until remedial measures have been taken. Remedial measures must be submitted and authorized.

**Add between the 8th and 9th paragraphs of section 19-3.03K:**

01-20-12

When your excavation and installation methods result in a discontinuous wall along any soil nail row, the ends of the structurally completed wall section must extend beyond the ends of the next lower excavation lift by a distance equal to twice the lift height. Maintain temporary slopes at the ends of each wall section to ensure slope stability.

**Replace the 9th paragraph of section 19-3.03K:**

01-20-12

Do not excavate to the next underlying excavation lift until the following conditions have been attained for the portion of the soil nail or ground anchor wall in the current excavation lift:

1. Soil nails or ground anchors are installed and grouted.
2. Reinforced shotcrete facing is constructed.
3. Grout and shotcrete have cured for at least 72 hours.
4. Specified tests are complete for that portion of wall and the results are authorized.
5. Soil nail facing anchorages are attached or ground anchors are locked off.

01-18-13

01-20-12

**Replace the 2nd sentence in the 7th paragraph of section 19-3.04 with:**

01-18-13

Structure excavation more than 0.5 foot from the depth shown is paid for as a work-character change if you request an adjustment or the Engineer orders an adjustment.

**Replace "Contract completion time" in the 8th paragraph of section 19-6.03D with:**

10-19-12

work completion date

01-18-13

[illegible]

05-30-14

07-19-13

## 20-1.01A Summary

1. Cultivating work starts
2. Pressure testing of irrigation pipe on the supply side of control valves
3. Testing of low voltage conductors
4. Planting work starts
5. Completion of planting work

Notify the Engineer at least 4 business days before each inspection is required. Allow at least 3 business days for the Engineer's inspection.

Unless otherwise authorized, do not proceed with the next construction activity until the inspection has been completed and any required corrective work has been performed and authorized.

## **20-1.02 MATERIALS**

### **20-1.02A General**

Reserved

### **20-1.02B Water**

Water available from an existing Department-owned facility within the project limits or an irrigation system to be installed under the Contract is furnished at no charge.

If water is not available, make arrangements for supplying water. Water must be of a quality that will promote plant growth.

### **20-1.02C Pesticides**

Pesticides must comply with the Department of Pesticide Regulation.

Insecticide must be imidacloprid.

Rodenticides must be brodifacoum, bromadiolone, or diphacinone.

Do not use oil or pelleted forms of pesticides for weed control.

For weed control, use a pesticide with a photosensitive dye that produces a contrasting color when sprayed on the ground. The color must disappear between 2 to 3 days after being applied. The dye must not stain surfaces or injure plants or wildlife when applied at the manufacturer's recommended application rate.

## **20-1.03 CONSTRUCTION**

### **20-1.03A General**

Take precautions to prevent irrigation water from:

1. Wetting vehicles, pedestrians, and pavement
2. Eroding soil
3. Causing excess runoff

05-30-14

Water plants under the Model Water Efficient Landscape Ordinance, 23 CA Code of Regs § 490 et seq., and local water agency requirements.

Water plants at night unless otherwise authorized.

07-19-13

Dispose of removed, pruned, and damaged vegetative material.

You may reduce removed vegetative material to chips with a maximum thickness of 1/2 inch and spread within the job site at locations determined by the Engineer. Chipped material must not be substituted for wood mulch, nor must the chipped material be placed within areas to receive wood mulch.

### **20-1.03B Pesticides**

Notify the Engineer of pesticide application times at least 24 hours before each application.

Mix and apply pesticides under the requirements of the Department of Pesticide Regulation and the instructions on the pesticide product label.

Do not apply pesticides:

1. On Saturdays and holidays unless authorized
2. Whenever weather and wind conditions are unsuitable for application
3. Within the plant basin
4. On the foliage and woody parts of the plant

If a granular preemergent is used, it must be covered with mulch on the same work day. Do not apply granular preemergent in plant basins.

Do not apply preemergents:

1. To groundcover plants before the plants have been planted a minimum of 3 days and have been thoroughly watered
2. Within 18 inches of trees, shrubs, and seeded areas

### **20-1.03C Roadside Clearing**

#### **20-1.03C(1) General**

Perform roadside clearing by:

1. Removing and disposing of trash and debris
2. Controlling the following pests:
  - 2.1. Rodents
  - 2.2. Insects
  - 2.3. Weeds
3. Removing existing plants as described

Control rodents by using rodenticides or traps.

#### **20-1.03C(2) Remove Existing Plants**

Remove existing plants as described. Removal of existing plants includes removing their stumps and roots 2 inches or larger in diameter to a minimum depth of 12 inches below finished grade. Backfill holes resulting from stump removal to finished grade with material obtained from adjacent areas.

If a plant is to be planted within existing groundcover area, remove existing groundcover from within an area 6 feet in diameter centered at each plant location.

#### **20-1.03C(3) Weed Control**

Control weeds by the use of pesticides, hand pulling, or mowing.

If pesticides are used to control weeds, apply pesticides before the weeds reach the seed stage of growth or exceed 4 inches in length, whichever occurs first. Do not use pesticides at cutting plant locations.

Where cuttings are to be planted, control weeds by hand pulling within an area 2 feet in diameter centered at each plant location.

If weeds are to be controlled by hand pulling, hand pull weeds before they reach the seed stage of growth or exceed 4 inches in length, whichever occurs first.

Where liner, plug, or seedling plants are to be planted 10 feet or more apart, control weeds by the use of pesticides or hand pulling within an area 2 feet in diameter centered at each plant location. Where liner, plug, or seedling plants are to be planted less than 10 feet apart, control weeds by the use of pesticides within the entire area.

Control weeds by mowing outside of mulched areas, plant basins, groundcover areas, and within areas to be seeded. Mowing must extend to the edges of pavement, dikes, curbs, sidewalks, walls, and fences.

If mowing is to be performed within areas to be seeded, perform mowing as needed until the start of the seeding operation specified in section 21.

Mowing must be performed before the weeds reach the seed stage of growth or exceed 6 inches in length, whichever occurs first. Mow weeds to a height of 3 inches.

#### **20-1.03C(4) Disposal of Removed Groundcover, Weeds, and Mowed Material**

Dispose of hand pulled weeds the same day they are pulled. Dispose of removed groundcover within 3 days.

Dispose of mowed material from the initial mowing. Disposal of material from subsequent mowing is not required.

#### **20-1.03D Cultivation**

Cultivation must be by mechanical methods and performed until the soil is in a loose condition to a minimum depth of 6 inches. Soil clods must not be larger than 2 inches in maximum dimension after cultivation.

The areas to be cultivated must extend 12 inches beyond the outer limit of each planting area requiring cultivation.

After initial cultivation, place soil amendment and fertilizer at specified rates.

Recultivate to thoroughly mix native soil and amendments.

Do not drive on cultivated areas after cultivation.

Planting areas that have been cultivated and become compacted must be recultivated.

Rocks and debris encountered during soil preparation in planting areas must be brought to the surface of the ground.

Remove rocks and debris as ordered. This work is change order work.

#### **20-1.03E Weed Germination**

Reserved

#### **20-1.04 PAYMENT**

Items paid for by area are measured parallel to the ground surface.

Planting areas that do not require cultivation but are within the cultivation areas will not be deducted.

### **20-2 IRRIGATION**

#### **20-2.01 GENERAL**

##### **20-2.01A General**

##### **20-2.01A(1) Summary**

Section 20-2 includes specifications for installing irrigation systems.

The irrigation systems shown are diagrammatic.

##### **20-2.01A(2) Definitions**

Reserved

##### **20-2.01A(3) Submittals**

##### **20-2.01A(3)(a) General**

Submit shop drawings for the electrical components of the irrigation system except electrical service 30 days before installation. The drawings must:

1. Include schematic wiring diagrams showing wire sizes and routes between electrical components



2. Show conduit sizes
3. Bear the written approval of the controller manufacturer or the manufacturer's authorized agent
4. Be accompanied by:
  - 4.1. Colored wire and splice samples
  - 4.2. Manufacturer's descriptive and technical literature

After the work shown on the drawing is complete, submit 3 copies of the as-built shop drawings including any wire modifications for each controller installed.

For each controller, laminate and place in an envelope 1 copy of:

1. As-built schematic wiring diagram including wiring modifications
2. 11 by 17 inches as-built irrigation plan

The laminate must be clear, mat-finished plastic that is at least 10 mils thick. The envelope must be heavy-duty plastic.

Attach the envelope to the inside of the controller enclosure or cabinet door. If the door is not large enough to secure the envelope, submit the envelope and its contents.

#### **20-2.01A(3)(b) Manufacturer's Instructions**

Submit as an informational submittal the manufacturer's installation instructions 15 days before installing:

1. Couplings for conduits used for irrigation conduits
2. Plastic pipe and fittings
3. Solvent cement for plastic pipe and flexible hose
4. Sprinklers
5. Flow sensors

#### **20-2.01A(3)(c) Maintenance and Operation Manuals**

Before Contract acceptance, submit as an informational submittal a manufacturer's maintenance and operation manual for each type of controller installed.

#### **20-2.01A(4) Quality Control and Assurance**

##### **20-2.01A(4)(a) General**

Reserved

##### **20-2.01A(4)(b) Pressure Testing**

##### **20-2.01A(4)(b)(i) General**

Perform pressure testing for leakage on irrigation supply lines:

1. In the Engineer's presence
2. On business days between 8 a.m. and 5 p.m. unless authorized
3. Before backfilling supply line trenches
4. With irrigation system gate valves open
5. With open ends of the supply line and fittings plugged or capped

Notify the Engineer at least 48 hours before performing a pressure test.

Choose either Method A or B to test supply lines installed by trenching and backfilling and supply lines that are completely visible after installation.

All other supply lines, including those installed in the ground by methods other than trenching and backfilling must be tested by Method A.

Test irrigation supply line in conduit by Method A with the testing period modified to 0.5 hour and no allowable pressure drop.

#### **20-2.01A(4)(b)(ii) Method A**

Method A pressure testing procedures for leakage must comply with the following:

1. Pressure gauge must be calibrated from 0 to 200 psi in 5 psi increments and be accurate to within a tolerance of 2 psi.
2. Supply line must be filled with water and connected to a pressure gauge. Place the pipeline under a pressure of 125 psi. Remove the source of pressure and leave the line under the required pressure.
3. Test the supply line under the required pressure for a period of 1 hour. The pressure gauge must remain in place until each test period is complete.
4. Leaks that develop in the tested portion of the system must be located and repaired after each test period if a drop of more than 5 psi is indicated by the pressure gauge. After the leaks have been repaired, repeat the 1 hour pressure test until the drop in pressure is 5 psi or less.

If a system consists of a new supply line connected to an existing line, the new supply line must be isolated from the existing line and tested.

#### **20-2.01A(4)(b)(iii) Method B**

Method B pressure testing procedures for leakage must comply with the following:

1. Before any portion of the supply line on the upstream side of a control valve is backfilled, water must be turned on for that portion of the line and maintained at full pressure from the water source for a period not less than 8 consecutive hours after all air has been expelled from the line. Before any portion of the supply line on the downstream side of the control valve is backfilled, perform the same test for a period not less than 1 hour.
2. Repair leaks that develop in the tested portion of the system. After the leaks have been repaired, repeat the pressure test until no leaks occur as determined by the Engineer.

#### **20-2.01A(4)(c) Sprinkler Coverage Check**

After installation of the sprinklers, check and adjust the entire sprinkler system for proper orientation and uniform coverage.

#### **20-2.01A(4)(d) Irrigation System Functional Tests**

The functional tests for each irrigation controller or group of controllers and associated irrigation system served by a single electric service point must consist of at least 1 complete cycle of operation. The Engineer determines the length of the cycle.

Notify the Engineer at least 10 days before performing each functional test.

#### **20-2.01A(4)(e) Final Irrigation System Check**

Perform the final check of the existing and new irrigation system between 20 and 30 days before Contract acceptance. The Engineer determines the length of the cycle.

Remote control valves connected to existing and new irrigation controllers must be checked for automatic operation when the controllers are in automatic mode.

#### **20-2.01B Materials**

##### **20-2.01B(1) General**

Use minor concrete for replacing removed concrete facilities.

HMA for replacing removed asphalt concrete surfacing and facilities must comply with section 39. You may use minor HMA if authorized.

##### **20-2.01B(2) Garden Valves**

Each garden valve must:

1. Be inverted nose type and of brass or bronze construction with female thread inlet
2. Have a replaceable seat washer, rising valve stem within a protective collar, and male thread hose outlet

3. Have a loose key handle

### **20-2.01B(3) Recycled Water Identification**

Irrigation components used for recycled water must be manufactured or painted purple. Recycled water irrigation pipe and tubing must have a permanent label with the wording "CAUTION RECYCLED WATER" every 24 inches in 2 rows spaced approximately 180 degrees apart in the longitudinal direction of the pipe or tubing.

The recycled water warning sign must be a decal or a decal attached to a 1/16-inch thick aluminum plate or tag.

Each warning sign decal must:

1. Show the phrase "Recycled Water, Do Not Drink" and the drinking glass graphic symbol
2. Be UV fade and weather resistant and manufactured from flexible vinyl with or without mylar
3. Have a purple background, black text, and self-adhesive backing

Each warning tag must:

1. Show the phrase "RECYCLED WATER" and the drinking glass graphic symbol
2. Be UV fade and weather resistant
3. Be purple, double-sided, and manufactured from polyurethane
4. Have an integral neck attachment and attachment hole capable of withstanding 178 lb of pull-out resistance
5. Have hot-stamped black lettering

Posts and hardware for warning signs must comply with section 56-4.

Concrete sprinkler protectors used with recycled water must be painted purple.

### **20-2.01B(4) Location Markers**

Location markers must be schedule 40 white PVC plastic pipe.

### **20-2.01B(5) Pull Boxes**

Pull boxes must comply with section 86-2.06 and be no. 5 or larger unless otherwise shown. Pull boxes for low voltage conductors must not have side openings.

Pull box covers used solely for irrigation electrical service must be marked "IRRIGATION".

### **20-2.01B(6) Unions**

Unions must be brass or malleable iron capable of withstanding the maximum required working pressure.

### **20-2.01B(7) Valve Boxes and Covers**

Valve boxes must be precast concrete.

Covers must be:

1. Concrete, steel, or cast iron.
2. Marked "WATER" in cast-in letters not less than 1 inch high.
3. 1 piece, except 2 pieces are required when the weight of the valve box cover exceeds 35 lb.

The valve box covers must include a polyurethane label with the appropriate controller letter and station number as shown.

### **20-2.01B(8) Wye Strainers**

Wye strainers must:

1. Have a cast iron or all bronze body
2. Have a removable stainless steel strainer screen:

- 2.1. With an open area equal to at least 3 times the cross-sectional area of the pipe based on an iron pipe size
- 2.2. With 40-mesh woven wire, except:
  - 2.2.1. For a backflow preventer assembly, the screen must be 20-mesh woven wire mesh or perforated sheet with 0.045-inch diameter holes
  - 2.2.2. For a valve assembly, the screen must be 80-mesh woven wire mesh
3. Be capable of withstanding a working pressure of 150 psi
4. Be equipped with a garden valve at the outlet

The wye strainer filter housing must:

1. Withstand a working pressure of 150 psi
2. Be manufactured of reinforced polypropylene plastic

## **20-2.01C Construction**

### **20-2.01C(1) General**

05-30-14

Immediately shut off water to broken supply lines, valves, or sprinkler assemblies. Repair irrigation systems within 24 hours after a malfunction or damage occurs.

07-19-13

Connect underground metallic pipes, valves, or fittings made of dissimilar metals through a dielectric coupling or bushing.

You may install conduits, conductors, and supply lines by methods other than trenching provided that they are not damaged and are installed at the depths specified.

### **20-2.01C(2) Trenching and Backfilling**

Trench and backfill under section 86-2.01.

Remove plants under 20-1.03C as necessary to perform trenching. If plants are to remain, adjust trench alignment to minimize damage.

If removal of:

1. Turf is required, remove to a maximum width of 12 inches.
2. Groundcover is required, remove to a maximum width of 6 feet. Existing *Carpobrotus* and *Delosperma* may be rototilled if the backfill for the trenches does not contain plants longer than 6 inches in length.

Make a 2-inch deep sawcut along neat lines around the perimeter of the pavement to be removed at locations determined by the Engineer.

The trench must have uniform bearing throughout the entire length and must be free of jagged rubble or sharp objects. Ensure conduit, supply line, and joints are not moved or damaged by backfill operations.

For a project with multiple water service points, excavate and backfill trenches for 1 service point at a time.

11-15-13

Trenches for irrigation supply lines and conduits 3 inches and larger must be 5 times the pipe or conduit diameter deep and 2 times the pipe or conduit diameter wide.

Trenches for irrigation supply lines and conduits 2-1/2 inches or less in diameter must be a minimum of 12 inches below finished grade, measured from the top of the installed pipe.

07-19-13

Trenches must be at least 4 feet from curbs, dikes, and paved shoulders.

Rocks and debris encountered during trenching operations must be brought to the surface of the ground. Remove rocks and debris as ordered. This work is change order work.

If trenching requires the removal of plants, in areas with:

1. Turf, replace turf with sod under section 20-3.03C(3)(e).
2. Groundcover, replace groundcover plants from flats and plant at 12 inches on center under section 20-3.03C. No replacement of *Carpobrotus* and *Delosperma* is required if removed by rototilling.

11-15-13

Where existing surfacing is removed, replace the structural section to match the materials removed. Replacement concrete must be of uniform smoothness, color, and texture equal to the adjacent concrete surface. Dispose of removed material. Install supply line and conduits at the bottom of trenches and backfill with sand to a depth of 2 inches over the top of the supply lines and conduits. Excluding the part of the trench backfilled with surfacing or pavement, the remainder of the trench must be backfilled with material that is excavated from the trench. Rock, broken concrete, asphalt concrete and other particles larger than 2 inches in greatest dimension must not be used.

07-19-13

### **20-2.01C(3) Pull Boxes**

Install pull boxes under section 86-2.06 at the following locations:

1. At all conductor splices except splices made in valve boxes
2. Within 5 feet of irrigation controllers
3. At ends of electrical conduits
4. At other locations shown

### **20-2.01C(4) Valve Boxes and Covers**

Install and identify each valve box as shown.

In walkways and paved areas, install the top of the valve box flush with the surrounding finished grade.

### **20-2.01C(5) Recycled Water Warning Signs**

Install recycled water warning signs on irrigation facilities using recycled water.

Install sign decals directly to clean, smooth surfaces. Clean the surface with alcohol or an equivalent cleaner before applying the decal.

Install a 4 by 4 inch warning sign decal to each:

1. Backflow preventer assembly
2. Irrigation controller enclosure cabinet door

Install a 2 by 2 inch warning tag to the each remote control valve and valve box cover.

Install a 2-1/2 by 3 inches sign decal to each sprinkler riser.

Under local regulations, install a 12 by 12 inch warning sign decal on an aluminum plate and attach to gates, fences, and walls located in the vicinity of a recycled water irrigation system. On gates and fences, install signs with S hooks and C clips or 14-gauge galvanized steel wire. On concrete walls or other rough surfaces, install signs with a silicon-based adhesive.

### **20-2.01C(6) Garden Valves**

Furnish 3 keys for each garden valve before Contract acceptance.

### **20-2.01D Payment**

Not Used

## **20-2.02 EXISTING IRRIGATION FACILITIES**

### **20-2.02A General**

#### **20-2.02A(1) Summary**

Section 20-2.02 includes specifications for checking, testing, operating, replacing, and relocating existing irrigation facilities.

#### **20-2.02A(2) Definitions**

Reserved

#### **20-2.02A(3) Submittals**

Submit a list of irrigation system deficiencies within 7 days after checking the existing facilities.

#### **20-2.02A(4) Quality Control and Assurance**

After irrigation facilities have been relocated, demonstrate in the presence of the Engineer that the relocated facilities function properly.

Certify each existing backflow preventer under section 20-2.03A(4).

### **20-2.02B Materials**

Valve box covers must be the same size as the covers they replace.

Control and neutral conductors must be the same size and color as the control and neutral conductors they replace.

### **20-2.02C Construction**

#### **20-2.02C(1) General**

Notify the Engineer at least 4 business days before shutting off the water supply to any portion of the existing irrigation system and immediately after restoring the water supply to any portion of the existing irrigation system.

If an irrigation facility to be relocated is determined unsuitable by the Engineer, replace irrigation facility under section 20-2. This work is change order work.

#### **20-2.02C(2) Check and Test Existing Irrigation Facilities**

Before performing irrigation system work, check existing irrigation facilities to remain in place or to be relocated. The Engineer determines the test watering cycle lengths. Check for deficiencies including missing parts, damaged components, and improper operation. Correct deficiencies as ordered. The correction of deficiencies is change order work.

#### **20-2.02C(3) Operate Existing Irrigation Facilities**

If the Contract includes a bid item for operate existing irrigation facilities, after performing work under section 20-2.02C(2), operate existing irrigation facilities through Contract acceptance.

Operate existing irrigation facilities except for water meters, underground supply lines, control and neutral conductors, and electrical conduits.

Check for proper operation at least once every 30 days. Adjust, repair, or replace existing irrigation facilities within 7 days of finding any deficiency.

Operate irrigation systems using the automatic irrigation controller until Contract acceptance. You may operate irrigation controllers manually during plant replacement, fertilization, weed germination, and repair work.

Program the irrigation controllers for seasonal requirements.

#### **20-2.02C(4) Replace Valve Box Covers**

Existing valve box covers shown to be replaced must remain in place until the new covers are ready to be installed.

Dispose of removed valve box covers.

#### **20-2.02C(5) Relocate Backflow Preventer Assemblies**

Relocate backflow preventer assembly as shown and install under section 20-2.03C.

#### **20-2.02C(6) Relocate Water Meters**

Relocate water meter as shown.

#### **20-2.02C(7) Relocate Irrigation Controllers**

Relocate irrigation controller as shown and install under section 20-2.07C.

#### **20-2.02D Payment**

Not Used

### **20-2.03 BACKFLOW PREVENTER ASSEMBLIES**

#### **20-2.03A General**

##### **20-2.03A(1) Summary**

Section 20-2.03 includes specifications for installing a backflow preventer assembly.

##### **20-2.03A(2) Definitions**

Reserved

##### **20-2.03A(3) Submittals**

Reserved

##### **20-2.03A(4) Quality Control and Assurance**

Each backflow preventer assembly must be certified by a backflow preventer tester. The tester must have an active and valid certification from the water purveyor having jurisdiction.

If the local water purveyor does not have a certification program, the tester must be certified by AWWA or a nearby county with a certification program.

Notify the Engineer at least 5 business days before certifying backflow preventer assembly.

Certify each backflow preventer assembly annually and within 10 days before Contract acceptance.

#### **20-2.03B Materials**

##### **20-2.03B(1) General**

Each backflow preventer assembly must include:

1. Backflow preventer including gate valve, wye strainer, brass or malleable iron unions, fittings, and supports
2. Blanket
3. Enclosure
4. Concrete pad

Concrete for the pad must be minor concrete, except the concrete must not contain less than 463 pounds of cementitious material per cubic yard. Hand mixing of the concrete is allowed.

##### **20-2.03B(2) Backflow Preventers**

Each backflow preventer must:

1. Be reduced-pressure principle type.
2. Comply with the requirements of the water purveyor that has jurisdiction.
3. Be factory-assembled with:
  - 3.1. 2 check valves
  - 3.2. 1 pressure differential relief valve
  - 3.3. 4 test cocks

- 3.4. 2 shut-off valves manufactured from iron or bronze. Shut-off valves must be one of the following:
  - 3.4.1. Resilient wedge gate valves
  - 3.4.2. Resilient seated and fully ported ball valves
  - 3.4.3. Resilient seated butterfly valves

Backflow preventer components must be capable of withstanding a working pressure of 150 psi.

#### **20-2.03B(3) Backflow Preventer Blankets**

Each backflow preventer blanket must:

1. Be polyester fabric coated with vinyl or polymeric resin
2. Be resistant to UV light, water, mildew, and fire
3. Have an R-value from R-30 to R-38

Blankets must have a securing mechanism that includes either zippers, hook-pile tape, grommets, snaps, buttons, or any combination of these. Wherever the backflow preventer is not in an enclosure, the securing mechanism must be capable of accepting a padlock.

#### **20-2.03B(4) Backflow Preventer Enclosures**

Each backflow preventer enclosure must:

1. Have expanded metal sides, ends, and top panels fabricated from 9-gauge minimum thickness stainless sheet steel with openings of approximately 3/4 by 1-3/4 inches
2. Have expanded metal panels attached to the 3/16-inch thick steel frame by a series of welds not less than 1/4 inch in length and spaced not more than 4 inches on center, along the edges of the enclosure
3. Have Type 304 stainless steel lock guards with a minimum thickness of 12 gauge.
4. Have hexagonal nuts and lock-type washers
5. Be powder coated by the manufacturer to match color no. 20450 of FED-STD-595.
6. Have padlock clasp or latch and lock mechanism

#### **20-2.03C Construction**

Finish exposed top surfaces of concrete pad with a medium broom finish applied parallel to the long dimension of pads.

Install hold-downs for the backflow preventer assembly enclosure when concrete is still plastic.

#### **20-2.03D Payment**

Not Used

### **20-2.04 CAM COUPLER ASSEMBLIES**

#### **20-2.04A General**

Section 20-2.04 includes specifications for installing a cam coupler assembly.

#### **20-2.04B Materials**

Each cam coupler assembly must consist of a cam coupler, dust cap, check valve, pipes, fittings, concrete thrust block, and valve box with woven wire cloth and gravel.

Cam couplers and keys must be manufactured of brass or bronze and be able to withstand a working pressure of 150 psi.

Furnish 3 loose cam coupler keys before Contract acceptance.

#### **20-2.04C Construction**

Install cam coupler assemblies in valve boxes as shown.



## **20-2.04D Payment**

Not Used

## **20-2.05 CONTROL AND NEUTRAL CONDUCTORS**

### **20-2.05A General**

#### **20-2.05A(1) Summary**

Section 20-2.05 includes specifications for installing control and neutral conductors.

#### **20-2.05A(2) Definitions**

Reserved

#### **20-2.05A(3) Submittals**

Reserved

#### **20-2.05A(4) Quality Control and Assurance**

Perform field tests on control and neutral conductors. Field tests must comply with the specifications for lighting circuits in section 86-2.14B.

Where the conductors are installed by trenching and backfilling, perform field tests after a minimum of 6 inches of backfill material has been placed and compacted over the conductors.

### **20-2.05B Materials**

Control and neutral conductors must comply with the requirements in section 86-2.08.

For connections between 24-volt irrigation controllers and valve solenoids, use control and neutral conductors. Conductors must include a control conductor for each valve and a common neutral.

Conductor insulation color, except for the stripes, must be continuous throughout. The color of the conductors must be consistent from the controller to each valve. Neutral conductors must be white. Do not use white for control conductors. Do not use conductors with green insulation except as permitted by the NEC.

Conductors must be:

1. No. 12 AWG or larger or no. 14 AWG or larger for armor-clad
2. Rated for 36 V or 600 V for armor-clad
3. Rated for direct burial
4. Underground feeder cable Type UF and TWU
5. Solid, uncoated copper for armor-clad
6. Not less than 90 percent of the AWG diameter required

No. 10 and smaller conductors must be insulated with a minimum of 56 mils of PVC or a minimum of 41 mils of polyethylene. No. 8 and larger conductors must be insulated with a minimum of 70 mils of PVC.

No. 10 and smaller armor-clad conductors must be insulated with a minimum of 41 mils of polyethylene. No. 8 and larger armor-clad conductors must be insulated with 54 to 60 mils of PVC.

Armor-clad conductors must include:

1. Stainless steel tape armor, Type 304 and helically wrapped with a 33 percent minimum overlap. The tape must be 0.5 inch wide and at least 0.005 inch thick.
2. PVC outer conductor jacket that is UV resistant and complies with the ICEA S-61-402, NEMA standard WC5 and UL listing 1263. The jacket nominal thickness must be 24 to 30 mils thick.

### **20-2.05C Construction**

#### **20-2.05C(1) General**

Reserved

### **20-2.05C(2) In Open Trenches**

Do not install control and neutral conductors above each other in an open trench. Wrap conductors together with electrical tape at 5 foot intervals.

Where conductors are installed in the same trench as supply line, install at the same depth as the line. At other locations, install conductors not less than 12 inches below finished grade.

Where conductors are not in a supply line trench, install conductors at least 4 feet from curbs, dikes, and paved shoulders.

### **20-2.05C(3) In Conduits**

Install conductors in electrical conduit if conductors are to be:

1. Surface mounted
2. Installed in or on structures
3. Installed under paved areas
4. Installed in irrigation conduits
5. Placed in concrete

### **20-2.05C(4) Splicing**

Splice low voltage control and neutral conductors under sections 86-2.09C, 86-2.09D, and 86-2.09E, except do not use method B. Tape used for splice insulation must be PVC tape.

Leave at least 2 feet of slack for each conductor at each:

1. Pull box
2. Valve box for each conductor that is connected to other facilities within the box or spliced within the box

Do not splice conductors in irrigation controller cabinets.

Permanent splice connections must be made with freshly cut and skinned conductors. Do not use temporary splices made for testing valve circuits as permanent splices.

### **20-2.05C(5) Marking**

Mark control and neutral conductors in pull boxes, valve boxes, at irrigation control terminals, and at splices.

Mark conductor terminations and splices with adhesive cloth wrap-around markers. Seal markers with clear, heat-shrinkable sleeves.

Mark nonspliced conductors with clip-on C-shaped white extruded PVC sleeves. Sleeves must have black indented legends of uniform depth with transparent overlays over the legends and chevron cuts for the alignment of 2 or more sleeves.

Identify markers for the control conductors with the appropriate irrigation controller and station number.

### **20-2.05D Payment**

Not Used

## **20-2.06 FLOW SENSORS**

### **20-2.06A General**

Section 20-2.06 includes specifications for installing a flow sensor.

### **20-2.06B Materials**

Each flow sensor must be an inline type with a nonmagnetic spinning impeller as the only moving part.

The electronics housing must:

1. Be schedule 80 PVC or cast 85-5-5-5 bronze
2. Include glass-filled polyphenylene sulfide
3. Be easily removable from the meter body and include 2 ethylene-propylene O-rings

The impeller must be tungsten carbide.

The electronics must be rated to withstand prolonged water immersion conditions and include 2 single conductor 18 AWG leads, 48 inches long.

The insulation must be direct burial UF type colored red for the positive lead and black for the negative lead.

The flow sensor must be capable of withstanding:

1. 100 to 400 psi operating pressure depending on sensor size shown
2. Liquid temperatures up to 220 degrees F
3. Flows from 1/2 to 15 ft/sec

#### **20-2.06C Construction**

Install flow sensor as shown.

#### **20-2.06D Payment**

Not Used

### **20-2.07 IRRIGATION CONTROLLERS**

#### **20-2.07A General**

##### **20-2.07A(1) Summary**

Section 20-2.07 includes specifications for installing irrigation controllers.

##### **20-2.07A(2) Definitions**

**irrigation controller:** "Smart" irrigation controller as defined by the Irrigation Association.

**remote irrigation control system (RICS):** Centralized water management system that consists of a base station, centralized server, satellite controllers.

**base station:** Designated computer located at a Department maintenance facility or District Office that collects data from a series of satellite controllers through a centralized server.

**centralized server:** Designated server or web-based application that collects data from all base stations.

**web-based application:** Encrypted managing software that is coded in a browser-supported language and is executable via a common internet web browser (e.g., Microsoft Internet Explorer, Firefox, Safari, etc.).

**satellite controller:** Irrigation controller that communicates directly to a base station or centralized server.

**network communication:** Identified means through which satellite controllers, base stations, and a centralized server communicate to one another (i.e., fiber optics, spread spectrum, phone line, etc.).

**remote access device:** Device (i.e., FCC compliant radio remote, cell phone or wireless, etc.) used to communicate with satellite controllers from a remote location.

##### **20-2.07A(3) Submittals**

Submit as an informational submittal, a complete manufacturer's maintenance and operations manual for each type of controller installed. Submit the manual at the time the wiring plans and diagrams are placed inside the controller enclosure or cabinet door.

#### **20-2.07A(4) Quality Control and Assurance**

Provide training by a qualified person on the use and adjustment of the irrigation controllers installed 30 days before Contract acceptance.

Modifications to electrical components must be done by the manufacturer before shipment to the job site.

The installation date and expiration date of the manufacturer's guarantee for the controllers must be permanently marked on the inside face of the controller.

#### **20-2.07B Materials**

##### **20-2.07B(1) General**

Conventional A/C powered irrigation controllers must operate on 110/120 V, 60 Hz(ac) and supply 24 to 30 VAC, 60 Hz(ac) for operating electrical remote control valves.

Concrete for the pad and foundation must be minor concrete, except the concrete must not contain less than 463 pounds of cementitious material per cubic yard. Hand mixing of the concrete is allowed.

##### **20-2.07B(2) Irrigation Controllers**

###### **20-2.07B(2)(a) General**

The irrigation controllers must:

1. Be A/C, battery, solar, or 2-wire as shown
2. Be from a single manufacturer.
3. Be fully automatic and capable of operating a complete 30-day or longer irrigation program.
4. Have a switch or button on the face of the irrigation control panel showing that the irrigation controller can be turned on or off and provide for automatic or manual operation. Manual operation must allow cycle start at the desired station and allow for the minimum activation of a single station or have the option to operate multiple stations in sequential or simultaneous operation modes.
5. Have non-volatile memory.
6. Have a watering time display on the face of the control panel.
7. Have a panel and circuit board connected to the low voltage control and neutral conductors by means of a plug and receptacle connectors located within the cabinet enclosure.
8. Have a variable or incremental timing adjustment ranging from 1 minute to 360 minutes per station.
9. Be capable of operating at least 3 program schedules.
10. Be capable of having at least 4 start times per program schedule.
11. Have an output that can energize a pump start circuit or a remote control master valve.
12. Be protected by fuses and circuit breakers.
13. Display a program and station affected by a sensory alert without altering other watering schedules not affected by the alert.
14. Be capable of global manual and automatic seasonal adjustments to all valves in any given program.
15. Automatically alter watering schedule in accordance with evapotranspiration data provided by a local weather station or have an internal programmed default of historical evapotranspirational data for a given region.
16. Support a flow sensor, rain sensor, or weather station and have automatic shut-off capability.
17. Be capable of communicating with the remote access device.

If the irrigation controller is installed in an enclosure cabinet, the cabinet must be stainless steel and must comply with section 86-3.04A.

Irrigation controllers not installed in enclosure cabinets must be weatherproof, constructed of fiberglass or metal and have a door lock with 2 keys provided.

RICS must meet the requirements of an irrigation controller and be capable of being accessible only through a secured and encrypted server that is password and firewall protected by the Department or be accessible through a firewall secure remote server that is independent from any Department servers. The Department will set up and manage the network communication.

#### **20-2.07B(2)(b) Battery Powered Irrigation Controllers**

Reserved

#### **20-2.07B(2)(c) Solar Powered Irrigation Controllers**

Reserved

#### **20-2.07B(2)(d) Two-wire Irrigation Controllers**

Reserved

#### **20-2.07B(3) Irrigation Controller Enclosure Cabinets**

The irrigation controller enclosure cabinet must:

1. Be stainless steel.
2. Include a mounting panel. Fabricate mounting panels with one of the following:
  - 2.1. 3/4-inch exterior AC grade veneer plywood. Paint panels with 1 application of an exterior, latex based, wood primer and 2 applications of an exterior, vinyl acrylic enamel, white in color. Paint panels on all sides and edges before installation of the panels in the cabinets and the equipment on the panels.
  - 2.2. 3/16-inch thick aluminum sheets.
  - 2.3. 10-gauge cold-rolled steel sheets.
  - 2.4. 0.157-inch stainless steel metal sheets.
3. Provide cross ventilation, roof ventilation, or a combination of both. Ventilation must not compromise the weather resistance properties of the cabinet and must be fabricated by the cabinet manufacturer.
4. Include protection against lightning damage.
5. Have an area inside the cabinet doors for storage of the as-built schematic wiring diagram and irrigation plans.
6. Have padlock clasp or latch and lock mechanism.

#### **20-2.07B(4) Rain Sensors**

A rain sensor unit must be a solid state, automatic shut-off type, and compatible with the irrigation controller. The rain sensor unit must automatically interrupt the master remote control valves when approximately 1/8 inch of rain has fallen. The irrigation controller must automatically be enabled again when the accumulated rainfall evaporates from the rain sensor unit collection cup.

Rain sensor units must be one of the following:

1. Rated 24 V(ac) to 30 V(ac)
2. Wireless and FCC compliant

#### **20-2.07C Construction**

Finish exposed top surface of concrete pad with a medium broom finish applied parallel to the long dimension.

Locate irrigation controllers in pedestal or wall mounted enclosures as shown.

Install electrical components for automatic irrigation systems under section 86-1.02.

Install irrigation controllers under the manufacturer's instructions and as shown.

If 2 or more irrigation controllers operate the same remote master control valve, furnish and install an isolation relay under the controller manufacturer's instructions.

Where direct burial conductors are to be connected to the terminal strip, connect the conductors with the open-end-crimp-on wire terminals. Exposed wire must not extend beyond the crimp of the terminal and the wires must be parallel on the terminal strip.

Install rain sensor units for irrigation controllers on the irrigation controller enclosure cabinets. Provide protection against lightning damage.

#### **20-2.07D Payment**

Payment for electrical service for 120-volt or higher is not included in the payment for irrigation controller.

#### **20-2.08 IRRIGATION CONDUIT**

##### **20-2.08A General**

##### **20-2.08A(1) Summary**

Section 20-2.08 includes specifications for installing irrigation conduit under a roadway or other facility to accommodate electrical conduit for control and neutral conductors and irrigation supply lines.

Before performing work on irrigation systems, locate existing conduits shown to be incorporated into the new work.

Before removing or disturbing existing Type A pavement markers that show the location of the existing conduit, mark the location of the existing conduit on the pavement.

##### **20-2.08A(2) Definitions**

Reserved

##### **20-2.08A(3) Submittals**

Reserved

##### **20-2.08A(4) Quality Control and Assurance**

Demonstrate the conduits are free of obstructions after placement of base and surfacing.

Before and after extending the irrigation supply line in a conduit, pressure test the supply line under section 20-2.01A(4)(b).

After conductors are installed in a conduit, test the conductors under section 20-2.05A(4).

Assign a technical representative to direct and control the directional bore activities. The representative must be present during directional bore activities. Unless otherwise authorized, perform directional bore activities in the presence of the Engineer.

##### **20-2.08B Materials**

##### **20-2.08B(1) General**

Reserved

##### **20-2.08B(2) ABS Composite Pipe Conduit**

ABS composite pipe and couplings must comply with ASTM D 2680. Couplings must be solvent cement type.

##### **20-2.08B(3) Corrugated High Density Polyethylene Pipe Conduit**

Corrugated high density polyethylene pipe must comply with ASTM F 405 and F 667 or be Type S and comply with AASHTO M252 and M294. Couplings and fittings must be as recommended by the pipe manufacturer.

##### **20-2.08B(4) Corrugated Steel Pipe Conduit**

Corrugated steel pipe conduit must comply with section 66. The nominal thickness of metal sheets for pipe must be 0.064 inch for corrugated steel pipe and 0.060 inch for corrugated aluminum pipe. Coupling bands and hardware must comply with section 66.

##### **20-2.08B(5) Polyvinyl Chloride Pipe Conduit**

PVC pipe conduit must be schedule 40 and comply with ASTM D 1785.

Fittings must be schedule 80.

**20-2.08B(6) Welded Steel Pipe Conduit**

Welded steel pipe must comply with ASTM A 53. Pipe must be black and have either welded or threaded joints.

The minimum wall thickness for the various sizes of welded steel pipe must comply with the dimensions shown in the following table:

Pipe size, nominal (inch)	Minimum wall thickness (inch)
3	0.216
4	0.237
6	0.280
8	0.277
10	0.279
12	0.330

**20-2.08C Construction****20-2.08C(1) General**

When existing conduits are to be incorporated in new work, excavate exploratory holes for locating existing conduits at the locations indicated by existing markers or as directed. Excavate and backfill exploratory holes to a maximum size of 2-1/2 feet in width, 5 feet in depth, and 5 feet on each side of the marker or directed location parallel to the roadway. If the conduit is not found and if ordered, increase the size of the exploratory holes beyond the dimensions specified. The additional excavation and backfill is change order work.

If extending an existing conduit, remove conductors from the conduit.

Use a coupling band if the new conduit matches the existing conduit diameter, otherwise overlap the conduit at least 12 inches.

After extending existing conduits, install conductors that match the color and size of the existing conductors without splices. Splice conductors in adjacent pull boxes.

If installing a control and neutral conductor and electrical conduit through the irrigation conduit, install a no. 5 pull box at each end.

Remove debris found in the conduit before performing other work. Debris found more than 3 feet from the ends of the conduits is removed as change order work.

Extend conduit 2 feet beyond all paving unless otherwise shown.

Cap the ends of unused conduit.

Designate the location of each conduit by cementing a Type A pavement marker as shown. Type A pavement markers and adhesive must comply with section 85.

**20-2.08C(2) Welded Steel Pipe Conduit****20-2.08C(2)(a) General**

Install welded steel pipe by directional boring or jack and drill.

Install top of conduits:

1. 18 to 30 inches below the finished surface in sidewalk areas
2. 40 to 52 inches below the finished grade in other paved areas

**20-2.08C(2)(b) Directional Boring**

Notify the Engineer 2 business days before starting directional bore activities.

The diameter of the boring tool for directional boring must be only as large as necessary to install the conduit.

Mineral slurry or wetting solution may be used to lubricate the boring tool and to stabilize the soil surrounding the boring path. The mineral slurry or wetting solution must be water based.

The directional bore equipment must have directional control of the boring tool and have an electronic boring tool location detection system. During operation, the directional bore equipment must be able to determine the location of the tool both horizontally and vertically.

#### **20-2.08C(2)(c) Jack and Drill**

Notify the Engineer 2 business days before starting jack and drill activities.

Jacking or drilling pits must be no closer than 2 feet from pavement edge whenever possible.

If authorized, small holes may be cut in the pavement to locate or remove obstructions.

Do not use excessive water that will soften subgrade or undermine pavement.

#### **20-2.08C(3) Schedule 40 Pipe Conduit**

Where schedule 40 pipe conduit 2 inches or less in outside diameter is installed under surfacing, you may install by directional boring under section 20-2.08C(2)(b).

For conduit 2 inches or less in diameter, the top of the conduit must be a minimum of 18 inches below surfacing.

Extend schedule 40 pipe conduit 6 inches beyond surfacing. Cap ends of conduit until used.

#### **20-2.08D Payment**

Schedule 40 PVC pipe conduit is paid for as plastic pipe (schedule 40) (supply line).

### **20-2.09 IRRIGATION SUPPLY LINE**

#### **20-2.09A General**

##### **20-2.09A(1) Summary**

Section 20-2.09 includes specifications for installing irrigation supply line.

If the supply line location interferes with the excavation of plant holes, relocate the plant hole to clear the supply line. Do not install supply lines through plant holes unless shown.

Supply lines, control and neutral conductors and electrical conduits installed in common trenches must not be installed above each other.

##### **20-2.09A(2) Definitions**

Reserved

##### **20-2.09A(3) Submittals**

Submit a certificate of compliance for polyethylene pipe and plastic pipe supply line.

##### **20-2.09A(4) Quality Control and Assurance**

Solvent cement must comply with the local Air Quality Management District requirements.

#### **20-2.09B Materials**

##### **20-2.09B(1) General**

Irrigation supply pipe must be metal or plastic as shown.

PCC for thrust blocks must be produced from commercial-quality aggregates. The concrete must contain at least 295 pounds of cementitious material per cubic yard.



#### **20-2.09B(2) Copper Pipe Supply Line**

Copper pipe must be Type K rigid pipe and comply with ASTM B 88. Fittings must be wrought copper or cast bronze either soldered or threaded.

Solder must be 95 percent tin and 5 percent antimony.

#### **20-2.09B(3) Galvanized Steel Pipe Supply Line**

Galvanized steel pipe supply line and couplings must be standard weight and comply with ASTM A 53, except that the zinc coating must not be less than 90 percent of the specified amount. Except for couplings, fittings must be galvanized malleable iron, banded and threaded, and comply with ANSI B16.3, Class 150.

Joint compound must be nonhardening and noncorrosive. Do not use pipe thread sealant tape.

#### **20-2.09B(4) Drip Irrigation Tubing**

Drip irrigation tubing must be virgin polyethylene plastic and comply with ASTM D 2737.

The drip irrigation tubing must be distribution tubing with preinstalled in-line emitters.

If preinstalled in-line drip irrigation tubing is not shown, you may install emitters that match the distribution requirements shown. The emitters must be barbed or threaded-type outlet devices with dual silicone diaphragms and installed under the manufacturer's instructions.

The emitters must meet the flow rate and operating pressure range shown.

The wall thickness of polyethylene tubing must comply with the following requirements when tested under ASTM D 2122:

Pipe size, nominal (inch)	Minimum wall thickness (inch)	Maximum wall thickness (inch)
1/2	0.050	0.070
5/8	0.055	0.075
3/4	0.060	0.080

The polyethylene tubing fittings must be leak-free, compression type and have female sockets with an internal barb to provide a positive pipe-to-fitting connection that will not separate at the designed pressure.

#### **20-2.09B(5) Plastic Pipe Supply Line**

Plastic pipe supply line must be PVC pipe that is NSF approved.

Schedule 40 plastic pipe supply line must comply with ASTM D 1785.

Class 315 plastic pipe supply line must comply with ASTM D 2241.

PVC gasketed bell joints must comply with ASTM D 2672, ASTM D2241, ASTM D 3139, and ASTM F 477.

For solvent-cemented type joints, the primer and solvent cement must be made by the same manufacturer. The primer color must contrast with the color of the pipe and fittings.

Solvent-cemented fittings must be injection molded PVC, schedule 40, and comply with ASTM D 2466.

Fittings for supply line placed in irrigation conduit must be schedule 80.

Fittings for plastic pipe supply line larger than 4 inches must be ductile iron under section 20-2.14C(2)(b).

If UV-resistant plastic pipe supply line is required, the pipe must be homogeneous, uniform color and be manufactured of:

1. At least 80 percent vinyl chloride resin with UV stabilizers
2. Non-PVC resin modifiers and coloring ingredients
3. Coloring ingredients with UV stabilizers

## **20-2.09C Construction**

### **20-2.09C(1) General**

Cut pipe straight and true. After cutting, ream out the ends to the full inside diameter of the pipe.

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Prevent foreign material from entering the irrigation system during installation. Immediately before assembling, clean all pipes, valves, and fittings. Flush lines before attaching sprinklers, emitters, and other terminal fittings. Reuse water from waterline flushing for landscape irrigation if practicable.

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Pipe supply lines installed between the water meter and backflow preventer assembly must be installed not less than 18 inches below finished grade measured to the top of the pipe.

Where a connection is made to existing supply lines, bell and gasketed fittings or compression fittings may be used.

Install a thrust block at each change in direction on the main supply line, terminus run, and at other locations shown.

Where supply lines cross paved ditches more than 3 feet deep at their flow line, install galvanized steel pipe for the entire span of the ditch.

Secure UV resistant plastic pipe supply line on grade as shown.

### **20-2.09C(2) Galvanized Steel Pipe Supply Line**

Coat male pipe threads on galvanized steel pipe according to the manufacturer's instructions.

### **20-2.09C(3) Drip Irrigation Tubing**

Install drip irrigation tubing on grade and under manufacturer's instructions.

Install a flush valve and an air-relief valve if recommended by the drip valve assembly manufacturer.

### **20-2.09C(4) Plastic Pipe Supply Line**

For PVC pipe 1-1/2 inches in diameter or smaller, cut the pipe with PVC cutters.

For solvent-cemented type joints, apply primer and solvent-cement separately under the manufacturer's instructions.

Wrap the male portion of each threaded plastic pipe fitting with at least 2 layers of pipe thread sealant tape.

Install plastic pipe supply line mains with solvent-cemented type joints not less than 18 inches below finished grade measured to the top of the pipe.

Install plastic pipe supply line laterals with solvent-cemented type joints not less than 12 inches below finished grade measured to the top of the pipe.

Snake plastic pipe installed by trenching and backfilling methods.

## **20-2.09D Payment**

Supply line pipe and drip irrigation tubing are measured along the slope.

## **20-2.10 SPRINKLER ASSEMBLIES**

### **20-2.10A General**

Section 20-2.10 includes specifications for installing sprinkler assemblies.

## **20-2.10B Materials**

### **20-2.10B(1) General**

Each sprinkler assembly must meet the characteristics shown in the irrigation legend.

Where shown, a sprinkler assembly must have a flow shut-off device that automatically stops the flow of water on the downstream side of the device when the assembly is broken. You may use a sprinkler assembly with a preinstalled flow shut-off device or you must install a flow shut-off device under the manufacturer's instructions.

Flexible hose for sprinkler assembly must be leak-free, nonrigid and comply with ASTM D 2287, cell Type 6564500. The hose wall thickness must comply with ASTM D 2122 for the hose diameters shown in the following table:

Hose diameter, nominal (inch)	Minimum wall thickness (inch)
1/2	0.127
3/4	0.154
1	0.179

Solvent cement and fittings for flexible hose must comply with section 20-2.09B(5).

### **20-2.10B(2) Pop-Up Sprinkler Assemblies**

Each pop-up sprinkler assembly must include a body, nozzle, swing joint, pressure compensation device, check valve, sprinkler protector, and fittings as shown.

### **20-2.10B(3) Riser Sprinkler Assemblies**

Each riser sprinkler assembly must include a riser or flexible hose, threaded nipple, swing joint, check valve, and nozzle as shown. The riser must be UV resistant schedule 80, PVC 1120 or PVC 1220 pipe and comply with ASTM D 1785.

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### **20-2.10B(4) Tree Well Sprinkler Assemblies**

Each tree well sprinkler assembly must include a body, riser, swing joint, perforated drainpipe, and drain cap.

The perforated drainpipe must be commercial grade, rigid, PVC pipe with holes spaced not more than 6 inches on center on 1 side of the pipe.

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Drain cap must be commercially available, 1 piece, injection molded drain grate manufactured from structural foam polyolefins with UV light inhibitors. Drain grate must be black.

Gravel for filling the drainpipe must be graded such that 100 percent passes the 3/4-inch sieve and 100 percent is retained on the 1/2-inch sieve. Gravel must be clean, washed, dry, and free from clay or organic material.

## **20-2.10C Construction**

Install pop-up and riser sprinkler assembly:

1. 6-1/2 to 8 feet from curbs, dikes, and sidewalks
2. 10 feet from paved shoulders
3. 3 feet from fences and walls

If sprinkler assembly cannot be installed within these limits, the location will be determined by the Engineer.

Set sprinkler assembly riser on slopes perpendicular to the plane of the slope.

Install tree well sprinkler assembly as shown.

## **20-2.10D Payment**

Not Used

## **20-2.11 VALVES**

### **20-2.11A General**

Section 20-2.11 includes specifications for installing valves.

### **20-2.11B Materials**

#### **20-2.11B(1) General**

Valves must:

1. Include a valve box and cover
2. Be the same size as the supply line that the valve serves unless otherwise shown
3. Be bottom, angled, or straight inlet configuration

#### **20-2.11B(2) Ball Valves**

Ball valve must be a two-piece brass or bronze body and comply with the requirements shown in the following table:

Property	Requirements
Nonshock working pressure, min	400 psi
Seats	PTFE
O-ring seals	PTFE

Ball valve must be the same size as the supply line that the valve serves.

#### **20-2.11B(3) Check Valves**

Each check valve must:

1. Be schedule 80 PVC and factory set to 5 psi for adjustable spring check valve
2. Be Class 200 PVC for swing check valves on non pressurized plastic irrigation supply line

#### **20-2.11B(4) Drip Valve Assemblies**

Each drip valve assembly must include:

1. Remote control valve
2. Wye filter with:
  - 2.1. Filter housing that:
    - 2.1.1. Can withstand a working pressure of 150 psi
    - 2.1.2. Is manufactured of reinforced polypropylene plastic
  - 2.2. Reusable stainless steel filter cartridge with a 200 mesh size filtration
3. Ball valve under 20-2.11B(2)
4. Schedule 80 PVC pipes and fittings
5. Pressure regulator

#### **20-2.11B(5) Garden Valve Assemblies**

Each garden valve assembly must have:

1. Garden valve
2. Location marker

#### **20-2.11B(6) Gate Valves**

Gate valves must be:

1. Flanged or threaded type
2. Iron or bronze body

3. Bronze trimmed with one of the following:
  - 3.1. Internally threading rising stem
  - 3.2. Nonrising stem
4. Able to withstand a working pressure of 150 psi
5. Same size as the pipeline that the valves serves unless otherwise shown

Gate valves smaller than 3 inches must have a cross handle.

Gate valves 3 inches or larger must be flanged type with a square nut. Furnish 3 long shank keys before Contract acceptance.

Gate valves attached to the outlets of a wye strainer must have seating rings on the discharge side of the gate valves must be PTFE. Valve wedges must be driven obliquely by cam action into the seating rings.

#### **20-2.11B(7) Pressure Regulating Valves**

Pressure regulating valve must be:

1. Flanged or threaded type
2. Brass, bronze, cast iron, or plastic body
3. Spring diaphragm type
4. Pilot controlled

Pressure regulating valve must have no internal filter screens.

#### **20-2.11B(8) Pressure Relief Valves**

Pressure relief valve must have a brass or bronze body, stainless steel springs, bronze nickel chrome seats, composition seat discs, female bottom inlets, and female side outlets.

#### **20-2.11B(9) Quick Coupling Valves**

Quick coupling valve must be 3/4 inch double slotted with a self-closing cap, 3/4-inch brass key and 3/4-inch brass hose swivel unless otherwise shown. Except for the cap, quick coupling valve must be brass or bronze construction. Furnish 3 loose quick coupling brass keys and brass hose swivels before Contract acceptance.

#### **20-2.11B(10) Remote Control Valves**

##### **20-2.11B(10)(a) General**

Each remote control valve must:

1. Be normally closed type.
2. Be glass filled nylon, brass, or bronze.
3. Be completely serviceable from the top without removing the valve body from the system.
4. Be equipped with a device that regulates and adjusts the flow of water and be provided with a manual shut-off. The manual shut-off for valves larger than 3/4 inch must be operated by a cross handle.
5. Have solenoids compatible with the irrigation controller.
6. Have a manual bleed device.
7. Be capable of withstanding a pressure of 200 psi
8. Have replaceable compression discs or diaphragms.
9. Have threaded fittings for inlets and outlets.
10. Have DC latching solenoids when used with solar or battery controllers. Solenoids must operate on 3.5 V.

##### **20-2.11B(10)(b) Remote Control Valves with Flow Sensor**

Reserved

##### **20-2.11B(10)(c) Remote Control Valves with Pressure Regulator**

Each remote control valve with pressure regulator must be factory assembled as 1 unit.

### **20-2.11B(11) Wye Strainer Assemblies**

Each wye strainer assembly must include:

1. Wye strainer
2. Garden valve

### **20-2.11C Construction**

#### **20-2.11C(1) General**

Install control valves:

1. 6-1/2 to 8 feet from curbs, dikes, and sidewalks
2. 10 feet from paved shoulders
3. 3 feet from fences, walls, or both

If a control valve cannot be installed within these limits, the location will be determined by the Engineer.

#### **20-2.11C(2) Check Valves**

Unless otherwise shown, install spring-action check valves as necessary to prevent low head drainage.

#### **20-2.11C(3) Garden Valve Assemblies**

Install a location marker 8 to 10 inches from the back of each garden valve.

#### **20-2.11C(4) Pressure Regulating Valves**

Install pressure regulating valves with threaded connections and a union on the inlet side of the valves.

#### **20-2.11C(5) Wye Strainer Assemblies**

Unless shown, install wye strainer assembly on the upstream side of the remote control valves.

Install garden valve so that when the system is flushed, the discharge sprays out of the valve box.

#### **20-2.11D Payment**

Not Used

05-30-14

### **20-2.12–20-2.13 RESERVED**

07-19-13

### **20-2.14 SUPPLY LINE ON STRUCTURES**

#### **20-2.14A General**

##### **20-2.14A(1) General**

##### **20-2.14A(1)(a) Summary**

Section 20-14 includes specifications for installing water supply lines through bridges and on the exterior of concrete structures.

##### **20-2.14A(1)(b) Definitions**

Reserved

##### **20-2.14A(1)(c) Submittals**

Submit a work plan for temporary casing support at the abutments as an informational submittal.

##### **20-2.14A(1)(d) Quality Control and Assurance**

##### **20-2.14A(1)(d)(i) General**

Before installing seismic expansion assemblies or expansion assemblies, the Engineer must authorize the extension setting.

##### **20-2.14A(1)(d)(ii) Regulatory Requirements**

Piping materials must bear the label, stamp, or other markings of the specified standards.

### **20-2.14A(1)(d)(iii) Site Tests**

Test water supply lines before:

1. Backfilling
2. Beginning work on box girder cell decks
3. Otherwise covering the water supply lines

Furnish pipe anchorages to resist thrust forces occurring during testing.

Test the water supply lines as 1 unit. The limits of the unit must be 5 feet beyond the casing at each end of the bridge.

Cap each end of the water supply lines before testing. Caps must be rated for the test pressure.

Test water supply lines under section 20-2.01A(4)(b), except that the testing period must be 4 hours with no pressure drop.

For water supply lines 4 inches and larger testing must meet the following additional requirements:

1. Testing pressure must be at least 120 psi
2. Air relief valve must not be subjected to water pressure due to testing

If water supply lines fail testing, retest the lines after repair.

### **20-2.14A(2) Materials**

#### **20-2.14A(2)(a) General**

Protect stored piping from moisture and dirt. Elevate piping above grade. Support piping to prevent sagging and bending.

Protect flanges, fittings, and assemblies from moisture and dirt.

#### **20-2.14A(2)(b) Air Release Valve Assemblies**

Air release valve assemblies include an air release valve, ball valve, tank vent, nipples, and pipe saddle. Assemblies must comply with the following:

1. Air release valves must have a cast iron body with stainless steel trim and float, 1-inch NPT inlet, 1/2-inch NPT outlet, and 3/16-inch orifice.
2. Ball valves must have a 2-piece bronze body with chrome plated or brass ball, 1-inch full-size port, and be rated for at least 400 psi.
3. Tank vents must have a 1/2-inch NPT inlet and downward-facing double openings with screened covers.
4. Nipples must be schedule 40 galvanized steel pipe.
5. Pipe saddle must be rated for at least 150 psi and compatible with water supply line. Pipe saddle must be (1) single strap pipe saddle for water supply lines smaller than 4 inches or (2) double strap pipe saddle for water supply lines 4 inches and larger. You may use a tee fitting for galvanized steel water supply lines.

#### **20-2.14A(2)(c) Casings**

Casings must be welded steel pipe casing complying with section 70-7.

#### **20-2.14A(2)(d) Pipe Wrap Tape**

Pipe wrap tape must be pressure sensitive tape made from PVC or polyethylene. Pipe wrap tape must be at least 50 mils thick and not wider than 2 inches.

#### **20-2.14A(2)(e) Pipe Hangers**

Pipe hangers must comply with section 70-7.02C.

The pipe hanger must be rated for the water supply line. If casings are shown, include the casings weight.

**20-2.14A(2)(f) Epoxy Adhesives**

Epoxy used for anchoring concrete pipe supports must comply with section 70-7.02D.

**20-2.14A(2)(g) Concrete Pipe Supports**

Concrete pipe supports must comply with section 70-7.02D.

**20-2.14A(2)(h) Pipe Clamps and Anchors**

Metal clamps must be commercial quality steel complying with section 75-1.02. Anchors must comply with the specifications for concrete anchorage devices in section 75-1.03C.

**20-2.14A(2)(i) Pull Boxes**

Pull boxes and covers must comply with section 20-2.01B(5).

**20.2.14A(3) Construction****20-2.14A(3)(a) General**

Support water supply lines as described.

Where water supply lines penetrate bridge superstructure concrete, either form or install pipe sleeves at least 2 pipe sizes larger than the pipe.

**20-2.14A(3)(b) Preparation**

Clean the interior of the pipe before installation. Cap or plug openings as pipe is installed to prevent the entrance of foreign material. Leave caps or plugs in place until the next pipe section is installed.

**20-2.14A(3)(c) Installation****20-2.14A(3)(c)(i) General**

Reserved

**20-2.14A(3)(c)(ii) Casings**

Install casings under section 70-7.03.

Seal casing end with 8 inches of polyurethane foam at dirt stop or pipe end seal.

**20-2.14A(3)(c)(iii) Wrapping Water Supply Line**

Wrap damaged supply line coatings with pipe wrap tape. Wrap field joints and fittings that are in contact with the earth.

Wrapping must comply with the following:

1. Clean and prime area as recommended by the tape manufacturer.
2. Tightly wrap tape with 1/2 uniform overlap, free from wrinkles and voids, to provide not less than a 100 mil thickness.
3. The tape must conform to joint or fitting contours.
4. Extend tape at least 6 inches over adjacent pipe.

**20-2.14A(3)(c)(iv) Pipe Clamps and Anchors**

Install water supply lines on the exterior surfaces of bridges or other concrete structures with metal clamps and anchors.

Drilling of holes for anchors must comply with the following:

1. Drill holes to manufacturers recommended depth.
2. Drilling tools must be authorized.
3. Do not drill holes closer than 6 inches to the edge of a concrete structure.
4. Relocate holes if reinforcing steel is encountered. Fill abandoned holes with mortar. Mortar must comply with section 51-1.02F.



Where water supply lines are mounted vertically for more than 2 feet, install clamps and anchors within 6 inches of the elbows.

Where water supply lines are mounted vertically for more than 10 feet, install additional clamps and anchors at 10 foot centers unless otherwise shown.

#### **20-2.14A(3)(d) Sequences of Operation**

If the bridge superstructure is to be prestressed do not place mortar around casings in abutments and hinges until bridge superstructure prestressing has been completed.

#### **20-2.14A(4) Payment**

Supply line on structures is measured from end to end, along the centerline.

The Department does not pay for failed tests.

#### **20-2.14B Supply Line on Structures, Less than 4 Inches**

##### **20-2.14B(1) General**

##### **20-2.14B(1)(a) Summary**

Section 20-2.14B includes specifications for installing water supply lines smaller than 4 inches.

##### **20-2.14B(1)(b) Definitions**

Reserved

##### **20-2.14B(1)(c) Submittals**

Product data for materials includes catalog cuts, performance data, and installation instructions.

Submit product data for:

1. Water supply line
2. Expansion assemblies
3. Casing insulators
4. Pipe end seals
5. Pipe anchorages
6. Air release valve assemblies
7. Casings
8. Pipe hangers
9. Epoxy adhesives
10. Concrete pipe supports

##### **20-2.14B(1)(d) Quality Control and Assurance**

Reserved

##### **20-2.14B(2) Materials**

##### **20-2.14B(2)(a) General**

Reserved

##### **20-2.14B(2)(b) Water Supply Line**

Water supply lines must comply with section 20-2.09.

##### **20-2.14B(2)(c) Expansion Assemblies**

Expansion assemblies must consist of a hose with ends, insulated flange connections, and elbows. Expansion assemblies must have the same nominal inside diameter as the water supply line. Working pressure must be at least 150 psi.

Hose must be medium or heavy weight, crush and kink resistant, rated for at least 150 psi. Cover must be flexible, oil resistant rubber or synthetic, reinforced with at least 2-ply synthetic yarn or steel wire. The inner tube must meet FDA and USDA Standards for potable water. Hose ends must be stainless steel

flanged connections with stainless steel crimped bands or swaged end connectors. Do not use barbed ends with band clamps.

Elbows must be 45 degree, standard weight galvanized steel fittings.

#### **20-2.14B(2)(d) Casing Insulators**

Casing insulators must be:

1. 2-piece, high-density, injection-molded polyethylene, nonconductive inner liner, with cadmium-plated nuts and bolts.
2. Factory constructed to ensure the water supply line is centered in the casing. Insulators must not allow any contact between pipe and casing and have at least 2 runners seated on the bottom of the casing.
3. Sized for the casing and water supply line shown.

#### **20-2.14B(2)(e) Pipe Anchorages**

Pipe anchorages must consist of an I-beam, U-bolts, anchors, and double nuts.

Use concrete anchorage devices for anchors on existing bridges. Use L-anchor bolts for anchors on new bridges.

Fabricate the I-beam from 1/2-inch steel plate. Steel plate, U-bolts, L-anchors, and nuts must comply with section 75-1.02. Concrete anchorage devices must comply with section 75-1.03C.

#### **20-2.14B(2)(f) Pipe End Seals**

Pipe end seals must consist of a pipe end seal, stainless steel bands, and polyurethane foam.

Pipe end seal must be factory constructed from seamless neoprene and sized for the casing and water supply line shown. Neoprene must be at least 1/8 inch thick. Stainless steel bands must be crimped.

Polyurethane foam must be expanding foam spray that is water resistant and moisture cured.

#### **20-2.14B(3) Construction**

Locate pipe anchorage halfway between expansion assemblies.

Pipe end seal must be pulled onto the casing during pipe installation. Do not use wrap-around type end seals.

#### **20-2.14B(4) Payment**

Supply line on structures is paid for as galvanized steel pipe (supply line on bridge).

#### **20-2.14C Supply Line on Structures, 4 Inches and Larger**

##### **20-2.14C(1) General**

##### **20-2.14C(1)(a) Summary**

Section 20-2.14C includes specifications for installing water supply lines 4 inches and larger.

##### **20-2.14C(1)(b) Definitions**

Reserved

##### **20-2.14C(1)(c) Submittals**

Product data for materials includes catalog cuts, performance data, and installation instructions.

Submit product data for:

1. Water supply line
2. Expansion assemblies
3. Flange insulating gaskets
4. Casing insulators
5. Seismic expansion assemblies

6. Lateral restraint assemblies
7. Air release valve assemblies
8. Casings
9. Pipe hangers
10. Epoxy adhesives
11. Concrete pipe supports

Submit the maximum range and preset dimension for each expansion assembly or seismic expansion assembly as an informational submittal.

Submit at least 5 sets of product data to OSD, Documents Unit. Each set must be bound together and include an index stating equipment names, manufacturers, and model numbers. Two sets will be returned. Notify the Engineer of the submittal. Include in the notification the date and contents of the submittal.

#### **20-2.14C(1)(d) Quality Control and Assurance**

Reserved

#### **20-2.14C(2) Materials**

##### **20-2.14C(2)(a) General**

Reserved

##### **20-2.14C(2)(b) Water Supply Line**

Water supply lines must consist of ductile iron pipe and fittings. Pipe must comply with ANSI/AWWA C151/A21.51, Class 350. Fittings must comply with ANSI/AWWA C110/A21.10, rated for a working pressure of 350 psi.

Ductile iron pipe connections to expansion assemblies must be a flanged joint complying with ANSI/AWWA C115/A21.15. Flange gaskets must be rated for a working pressure of 350 psi. Fasteners must comply with section 75-1.02, except that stainless steel fasteners must not be used.

All other ductile iron pipe and fitting joints must be push-on, restrained type complying with ANSI/AWWA C111/A21.11. Push-on, restrained type joints may use proprietary dimensions and proprietary restrained joint locking systems.

Ductile iron pipe and fittings must have an asphaltic coating complying with ANSI/AWWA C151/A21.51, and a cement mortar lining complying with ANSI/AWWA C104/A21.4.

##### **20-2.14C(2)(c) Expansion Assemblies**

Expansion assemblies must be a sleeve type expansion joint. The expansion assembly must have:

1. Ductile iron body complying with ANSI/AWWA C153/A21.53
2. Flanged ends complying with ANSI/AWWA C110/A21.10
3. Fusion bonded epoxy internal lining complying with ANSI/AWWA C213 at least 15 mils thick
4. Internal expansion sleeve limiting stop collars and be pressure balanced
5. Working pressure of at least 350 psi for sizes 24 inches and smaller and 250 psi for sizes larger than 24 inches
6. NSF 61 certification

The expansion assembly must be factory set at 1/2 the extension capacity.

##### **20-2.14C(2)(d) Flange Insulating Gaskets**

Flange insulating gaskets must consist of a dielectric flange gasket, insulating washers and sleeves, and commercial quality steel bolts and nuts. Dielectric flange gasket must have a dielectric strength of at least 500 vpm.

##### **20-2.14C(2)(e) Casing Insulators**

Casing insulators must be:

1. 2-piece, 8-inch, 14-gauge epoxy-coated or galvanized steel band, four 2-inch-wide glass-reinforced polyester or polyethylene runners, with cadmium-plated nuts and bolts.
2. Coated with at least 15-mils heat-fused PVC to provide a nonconductive inner liner.
3. Factory constructed to ensure the water supply line is centered in the casing. Insulators must not allow any pipe to casing contact and have at least 2 runners seated on the bottom of the casing.
4. Sized for the casing and water supply line shown.

#### **20-2.14C(2)(f) Dirt Stops**

Dirt stops must consist of a redwood cover with polyurethane foam.

Use construction heart grade redwood complying with 57-2.01B(2). Construct cover to fit snugly around the water supply line. The cover must be 2 inches taller and 2 inches wider than the casing.

Polyurethane foam must be expanding foam spray that is water resistant and moisture cured.

#### **20-2.14C(2)(g) Seismic Expansion Assemblies**

Seismic expansion assemblies must be a sleeve type expansion joint with integral ball joints at each end.

Seismic expansion assemblies must have:

1. Ability to withstand at least 15 degree angular deflection at each end and maximum movement in all 3 planes at the same time
2. Ductile iron body complying with ANSI/AWWA C153/A21.53
3. Flanged ends complying with ANSI/AWWA C110/A21.10
4. Fusion bonded epoxy internal lining complying with ANSI/AWWA C213 at least 15 mils thick
5. Internal expansion sleeve limiting stop collars and pressure balanced
6. Ball joints contained in flanged retainers with seal gaskets
7. Working pressure of at least 350 psi for sizes 24 inches and smaller and 250 psi for sizes larger than 24 inches
8. NSF 61 certification

The seismic expansion assembly must be factory set at 1/2 the extension capacity.

#### **20-2.14C(2)(h) Lateral Restraint Assemblies**

Lateral restraint assemblies must be (1) constructed from commercial quality steel components complying with section 75-1.02, (2) adjustable, and (3) able to resist a horizontal force of 10 percent of the contributory dead load.

#### **20-2.14C(3) Construction**

Each ductile iron pipe must be connected and fully extended (pulled out) after joint assembly before the next pipe section is added.

Install flange insulating gaskets on the outside flange of seismic expansion assemblies and expansion assemblies.

#### **20-2.14C(4) Payment**

Supply line on structures is paid for as supply line (bridge).

### **20-2.15 TEMPORARY IRRIGATION SYSTEMS**

Reserved

### **20-2.16–20-2.19 RESERVED**

## **20-3 PLANTING**

### **20-3.01 GENERAL**

#### **20-3.01A General**

##### **20-3.01A(1) Summary**

Section 20-3 includes specifications for performing planting work in new and existing landscapes.

## **20-3.01A(2) Definitions**

Reserved

## **20-3.01A(3) Submittals**

### **20-3.01A(3)(a) General**

Submit nursery invoices showing species or variety and inspection certificates for plants.

Submit documentation of clearance from the county agricultural commissioner for plants obtained from a county outside the project limits.

If a root stimulant is required, submit a copy of the root stimulant manufacturer's product sheet and instructions for the application of the root stimulant.

If cuttings are to be taken from outside the right-of-way, submit proof of permits and payment of associated fees. Notify the Engineer of the location at least 15 days before taking cuttings.

### **20-3.01A(3)(b) Vendor Statements**

At least 60 days before planting the plants, submit a statement from the vendor that the order for the plants required, including sample plants used for inspection, has been received and accepted by the vendor. The statement from the vendor must include the plant names, sizes, and quantities and the anticipated delivery date.

### **20-3.01A(3)(c) Certificates of Compliance**

Submit a certificate of compliance for:

1. Sod
2. Soil amendment

## **20-3.01A(4) Quality Control and Assurance**

Plants must comply with federal and state laws requiring inspection for diseases and infestations. Inspection certificates required by law must accompany each shipment of plants.

Obtain clearance from the county agricultural commissioner before planting plants delivered from a county outside the project limits.

The Engineer inspects the roots of container-grown sample plants by removing earth from the rootball of not less than 2 plants, nor more than 2 percent of the total number of plants of each species or variety. If container-grown plants are purchased from several sources, the Engineer inspects the roots of not less than 2 of each sample plant species or variety from each source. The rootball of container grown plants must not show evidence of being underdeveloped, deformed, or having been restricted.

If the Engineer finds noncompliant plants, the entire lot represented by the noncompliant sample plants will be rejected.

Cuttings with mature or brown stems and cuttings that have been trimmed will be rejected.

## **20-3.01B Materials**

### **20-3.01B(1) General**

Notify the Engineer at least 10 days before the plants are shipped to the job site.

### **20-3.01B(2) Plants**

#### **20-3.01B(2)(a) General**

Plants must be the variety and size shown and true to the type or name shown. Plants must be individually tagged or tagged in groups identifying the plants by species or variety. Tagging is not required for cuttings.

Plants must be healthy, well-formed, not root-bound, free from insect pests and disease, and grown in nurseries inspected by the Department of Food and Agriculture.

The plants must comply with the size and type shown in the following table:

Plant group designation	Description	Container size (cu in)
A	No. 1 container	152–251
B	No. 5 container	785–1242
C	Balled and burlapped	--
E	Bulb	--
F	In flats	--
H	Cutting	--
I	Pot	--
K	24-inch box	5775–6861
M	Liner <sup>a</sup>	--
O	Acorn	--
P	Plugs <sup>a, b</sup>	--
S	Seedling <sup>c</sup>	--
U	No. 15 container	2768–3696

<sup>a</sup>Do not use containers made of biodegradable material.

<sup>b</sup>Grown in individual container cells.

<sup>c</sup>Bare root.

Trucks used for transporting plants must be equipped with covers to protect plants from windburn.

Handle and pack plants in an authorized way for the species or variety.

#### **20-3.01B(2)(b) Cuttings**

##### **20-3.01B(2)(b)(i) General**

Take cuttings at random from healthy, vigorous plants. Make cuts with sharp, clean tools. Do not take more than 25 percent of an individual plant and not more than 50 percent of the plants in an area.

Keep cuttings covered and wet until planted. Do not allow cuttings to dry or wither.

Plant cuttings no more than 2 days after being cut.

##### **20-3.01B(2)(b)(ii) *Carpobrotus* and *Delosperma* Cuttings**

You may take cuttings for new *Carpobrotus* and *Delosperma* groundcover from the existing highway planting areas, but these areas may not provide enough material to complete the work. Contact the local District's encroachment permit office to obtain a permit to harvest cuttings, identify acceptable cutting harvest areas, and to determine acceptable quantities to take.

Take tip cuttings from healthy, vigorous *Carpobrotus* and *Delosperma* plants that are free of pests and disease.

*Carpobrotus* cuttings must be 10 inches or more in length and not have roots.

*Delosperma* cuttings must be 6 inches or more in length and not have roots.

##### **20-3.01B(2)(b)(iii) Willow Cuttings**

Take willow cuttings from areas shown or designated by the Engineer.

Willow cuttings must be:

1. Reasonably straight
2. 20 to 24 inches in length
3. 3/4 to 1-1/2 inch in diameter at the base of the cutting

Cut the top of each willow cutting square above a leaf bud. Cut the base below a leaf bud at approximately a 45 degree angle. Trim off leaves and branches flush with the stem of the cutting.

**20-3.01B(2)(b)(iv) Cottonwood Cuttings**

Cottonwood cuttings must comply with the requirements for willow cuttings in section 20-3.01B(2)(b)(iii).

**20-3.01B(2)(b)(v)–20-3.01B(2)(b)(viii) Reserved****20-3.01B(2)(c) Sod**

Sod must:

1. Be grown to comply with the Food & Agri Code
2. Be free from weeds and undesirable types of grasses and clovers
3. Be field-grown on soil containing less than 50 percent silt and clay
3. Have less than 1/2-inch-thick thatch
4. Not be less than 8 months or more than 16 months old
5. Be machine-cut to a uniform soil thickness of  $5/8 \pm 1/4$  inch, not including top growth and thatch

Protect sod with tarps or other protective covers during delivery. Do not allow sod to dry out during delivery or before placement.

**20-3.01B(3) Soil Amendment**

Soil amendment must comply with the requirements in the Food & Agri Code. Soil amendment must be one or a combination of the following:

1. Sphagnum peat moss
2. Nitrolized fir bark
3. Vermiculite
4. Perlite

**20-3.01B(4) Fertilizers****20-3.01B(4)(a) General**

Deliver fertilizer in labeled containers showing weight, chemical analysis, and manufacturer's name.

Fertilizer must comply with the requirements of the Food & Agri Code.

**20-3.01B(4)(b) Slow-release Fertilizers**

Slow-release fertilizer must be a pelleted or granular form with a nutrient release over an 8 to 12 month period and must comply with the chemical analysis ranges shown in the following table:

Ingredient	Content (percent)
Nitrogen (N)	16–21
Phosphoric acid (P)	6–8
Water soluble potash (K)	4–10

**20-3.01B(4)(c) Packet Fertilizers**

Packet fertilizer must be a biodegradable packet with a nutrient release over a 12 month period. Each packet must have a weight of  $10 \pm 1$  grams and must comply with the chemical analysis shown in the following table:

Ingredient	Content (percent)
Nitrogen(N)	20
Phosphoric acid (P)	10
Water soluble potash (K)	5

**20-3.01B(4)(d) Organic Fertilizers**

Organic fertilizer must be pelleted or granular with a cumulative nitrogen release rate of no more than 70 percent for the first 70 days after incubation at 86 degrees F with 100 percent at 350 days or more. Organic fertilizer must comply with the chemical analysis shown in the following table:

Ingredient	Content (percent)
Nitrogen (N)	5-7
Phosphoric acid (P)	1-5
Water soluble potash (K)	1-10

**20-3.01B(5) Root Stimulants**

Root stimulant must be a commercial quality product.

**20-3.01B(6) Plaster Sand**

Backfill material for the transplant palm tree planting holes must be 100 percent commercial quality washed plaster sand.

**20-3.01B(7) Root Barrier**

Root barrier must be an injection molded or extruded modular panel made of high-density polypropylene or polyethylene plastic.

Each panel must:

1. Be at least 1/16-inch thick
2. Have at least 4 molded root-deflecting vertical ribs 0.5- to 0.8-inch wide, 6 to 8 inches apart
3. Have a locking strip or an integral male-female sliding lock designed to resist slippage between panels
4. Be at least 2 feet wide and 2 feet in depth

**20-3.01B(8) Root Protectors**

Each root protector must be:

1. Fabricated from 1-inch, hexagonal pattern, 20-gauge mesh wire
2. Closed bottom design with a height and diameter that provides a minimum of 6 inches of clearance between the root ball and the sides and bottom of the wire cylinder

Wire edges at the top of the cylinder must be the uncut manufactured finished edge free of sharp points.

**20-3.01B(9) Foliage Protectors**

Each foliage protector must be:

1. Fabricated from 1-inch, hexagonal pattern, 20-gauge mesh wire
2. Approximately 4 feet high and 2 feet in diameter

Wire edges at the top of the cylinder must be the uncut manufactured finished edge free of sharp points. Other wire edges that are cut must be free of sharp points.

Support stakes must be one of the following:

1. 3/4-inch reinforcing steel bar a minimum of 5 feet long with an orange or red plastic safety cap that fits snugly onto the top of the reinforcing steel bar
2. 2 inch nominal diameter or 2 by 2 inch nominal size wood stakes a minimum of 5 feet long. Wood stakes must be straight

The jute mesh cover must comply with section 21-1.02O(2). Twine required to hold the jute mesh cover in place must be 1/8-inch diameter manila hemp twine.



### **20-3.01B(10) Wood Plant Stakes**

Each plant stake must be nominal 2 by 2 inch or nominal 2-inch diameter and of sufficient length to keep the plant in an upright position.

Plant stakes for vines must be nominal 1 by 1 inch, 18 inches long.

### **20-3.01B(11) Plant Ties**

Plant ties must be extruded vinyl-based tape, 1 inch wide and at least 10 mils thick.

### **20-3.01C Construction**

#### **20-3.01C(1) General**

Apply a root stimulant under the manufacturer's instructions to the plants specified in the special provisions.

Before transporting the plants to the planting area, thoroughly wet the root ball.

#### **20-3.01C(2) Pruning**

Prune plants under the latest edition of ANSI A300 part 1, *Pruning*, published by the Tree Care Industry Association.

Do not use tree seal compounds to cover pruning cuts.

#### **20-3.01C(3) Watering**

Water existing plants to be maintained, transplanted trees, and new plants as needed to keep the plants in a healthy growing condition.

#### **20-3.01C(4) Replacement Plants**

Plants that show signs of failure to grow at any time or are so injured or damaged as to render them unsuitable for the purpose intended, must be removed, replaced, and replanted. Replace unsuitable plants within 2 weeks after the Engineer marks or indicates that the plants must be replaced.

Replacement planting must comply with the original planting requirements, spacing, and size provisions described for the plants being replaced.

Replacement planting for transplanted trees must comply with the work plan and be planted in the same planting hole.

Replacement ground cover plants must be the same species specified for the ground cover being replaced. Other replacement plants must be the same species as the plants being replaced.

Place orders for replacement plants with the vendor at the appropriate time so that the replacement plants are not in a root-bound condition.

The Department does not pay for replacement plants or the planting of replacement plants.

#### **20-3.01C(5) Maintain Plants**

Maintain plants from the time of planting until Contract acceptance if no plant establishment period is specified or until the start of the plant establishment period.

### **20-3.01D Payment**

Reserved

## **20-3.02 EXISTING PLANTING**

### **20-3.02A General**

#### **20-3.02A(1) Summary**

Section 20-3.02 includes specifications for pruning existing plants, transplanting trees, and maintaining existing planted areas.

Transplant palm trees between March 15 and October 15.

### **20-3.02A(2) Definitions**

Reserved

### **20-3.02A(3) Submittals**

Submit a work plan for:

1. Transplanting trees. The work plan must include methods for lifting, transporting, storing, planting, guying, and maintaining each tree to be transplanted. Include root ball size, method of root ball containment, and a maintenance program for each tree.
2. Maintaining existing planted areas. The work plan must include weed control, fertilization, mowing and trimming of turf areas, watering, and controlling rodents and pests.

Submit a copy of the manufacturer's product sheet for root stimulant including application instructions.

### **20-3.02A(4) Quality Control and Assurance**

Inspect for deficiencies of existing planted areas in the presence of the Engineer. Complete the inspection within 15 days after the start of job site activities.

Deficiencies requiring corrective action include:

1. Weeds
2. Dead, diseased, or unhealthy plants
3. Missing plant stakes and tree ties
4. Inadequate plant basins and basin mulch
5. Other deficiencies needing corrective action to promote healthy plant life
6. Rodents and pests

### **20-3.02B Materials**

Not Used

### **20-3.02C Construction**

#### **20-3.02C(1) General**

Correct deficiencies of existing planted areas as ordered within 15 days of the order. Correction of deficiencies is change order work.

After deficiencies are corrected, perform work to maintain existing planted areas in a neat and presentable condition and to promote healthy plant growth through Contract acceptance.

#### **20-3.02C(2) Prune Existing Plants**

Prune existing plants as shown.

If no bid item for prune existing plants is included, prune existing plants as ordered. Pruning existing plants is change order work.

#### **20-3.02C(3) Transplant Trees**

Prune each tree to be transplanted immediately before lifting.

If the tree to be transplanted is a palm, prune by removing dead fronds and frond stubs from the trunk. Remove green fronds up to 2 rows of fronds away from the center of growth. Tie the remaining 2 rows of fronds in an upright position with light hemp or manila rope. Remove fronds and frond stubs at the trunk in a manner that will not injure the trunk. Remove fronds and frond stubs for *Phoenix dactylifera* (Date Palm) approximately 4 inches from the trunk.

Prepare each hole in the new location before lifting the tree to be transplanted.

Lift tree to be transplanted as described in the work plan.

Comply with section 20-3.03C(3) for handling and planting each tree to be transplanted.

Until replanted, cover exposed root ball with wet burlap or canvas and cover the crown with 90 percent shade cloth.

Replant each tree on the same day it is lifted if possible. If the transplant location is not ready to receive the tree, store and maintain the tree to be transplanted until the transplant location is authorized. Store tree in an upright position.

Replace damaged transplanted tree under 20-3.01C(4) and with the number of trees specified in the special provisions.

The replacement trees must be planted in individual plant holes at the location determined by the Engineer within the area of the tree being replaced. Comply with section 20-3.03C(2) for the planting of the replacement trees.

#### **20-3.02C(4) Maintain Existing Planted Areas**

If a bid item for maintain existing planted areas is included, the existing plant basins must be kept well-formed and free of sediment. If the existing plant basins need repairs, and the basins contain mulch, replace the mulch after the repairs are done.

Control weeds within the existing planted area and:

1. From the existing planted area limit to the adjacent edges of paving and fences if less than or equal to 12 feet
2. From the existing planted area limit to 6 feet beyond the outer limit of the existing planted area if the adjacent edge of paving or fence is more than 12 feet away
3. Within a 3-foot radius from each existing tree and shrub

If no bid item for maintain existing planted areas is included, maintain existing planted areas as ordered. Maintain existing planted areas is change order work.

#### **20-3.02D Payment**

Not Used

### **20-3.03 PLANTING WORK**

#### **20-3.03A General**

Section 20-3.03 includes specifications for planting plants.

#### **20-3.03B Materials**

Not Used

#### **20-3.03C Construction**

##### **20-3.03C(1) General**

Do not begin planting until authorized.

If an irrigation system is required, do not begin planting in an area until the functional test has been completed and authorized for the irrigation system serving that area.

##### **20-3.03C(2) Preparing Planting Areas**

The location of each plant is as shown unless the Engineer designates otherwise. If the Engineer designates the location, it will be marked by a stake, flag, or other marker.

Conduct work so the existing flow line in drainage ditches is maintained. Material displaced by your operations that interferes with drainage must be removed.

Where a minimum distance to a drainage ditch is shown, locate the plant so that the outer edge of its basin wall is at least the minimum distance shown for each plant involved.

Excavate each planting hole by hand digging or by drilling. The bottom of each planting hole must be flat. Do not use water for excavating the hole.

Unless a larger planting hole is specified, the planting hole must be large enough to receive the root ball or the total length and width of roots, backfill, amendments, and fertilizer. Where rock or other hard material prohibits the hole from being excavated, a new hole must be excavated and the abandoned hole backfilled.

### **20-3.03C(3) Planting Plants**

#### **20-3.03C(3)(a) General**

Do not plant plants in soil that is too wet, too dry, not properly conditioned as specified, or in an unsatisfactory condition for planting.

Do not distribute more plants than can be planted and watered on that day.

Water plants immediately after planting. Apply water until the backfill soil around and below the roots or ball of earth around the roots of each plant is thoroughly saturated. When watering with a hose, use a nozzle, water disbursement device, or pressure reducing device. Do not allow the full force of the water from the open end of the hose to fall within the basin around any plant. Groundcover plants in areas with an irrigation system must be watered by sprinklers. Several consecutive watering cycles may be necessary to thoroughly saturate the soil.

If shown, install root barriers between trees and concrete sidewalk or curb. Install panels flush with finished grade and join with locking strips or integral male-female sliding locks. Install barriers with root deflectors facing inward.

If a tree grate is shown, install root barrier panels 0.5 inch above finish grade or as shown.

Adjust planting locations so that each tree or shrub is at least 8 feet away from any sprinkler.

Where a tree, shrub, or vine is to be planted within a groundcover area or cutting planting area, plant it before planting groundcover or cuttings.

Where shrubs and groundcovers are shown to be planted in groups, the outer rows directly adjacent to the nearest roadway or highway fence must be parallel to the nearest roadway or highway fence. Stagger shrubs and groundcovers in adjacent rows. Adjust the alignment of the plants within the outer rows.

Core holes in concrete masonry block wall as shown.

Where a vine is to be planted against a wall or fence, plant it as close as possible to the wall or fence. If a vine planted next to a wall is to be staked, stake and tie the vine at the time of planting. A vine planted next to a fence must be tied to the fence at the time of planting.

Protect tree trunks from injury. Do not:

1. Drag tree
2. Use chains to move a tree
3. Lay tree on the ground

#### **20-3.03C(3)(b) Trees, Shrubs, and Vines**

After preparing holes, thoroughly mix soil amendment and granular fertilizer at the rate shown with native soil to be used as backfill material. Remove containers from plants in such a manner that the ball of earth surrounding the roots is not broken. Do not cut plant containers before delivery of the plants to the planting area. Plant and water plants immediately after removal from their containers.

Place packet fertilizer in the backfill within 6 to 8 inches of the ground surface and approximately 1 inch from the root ball. If more than 1 packet is required per plant, distribute the packets evenly around the root ball.

If a root stimulant is to be used, apply it according to the manufacturer's instructions.

If required, install root protectors in the plant holes as shown.

Ensure roots are not restricted or distorted.

Distribute backfill uniformly throughout the entire depth of the plant hole without clods or lumps. After the planting holes have been backfilled, jet water into the backfill with a pipe or tube inserted into the bottom of the hole until the backfill material is saturated for the full depth. If the backfill material settles below this level, add additional backfill to the required level. If a plant settles deeper than shown, replant it at the required level.

Remove nursery stakes after planting.

Install 2 plant stakes for each plant to be staked at the time of planting as shown. Ensure the rootball is not damaged.

Tie the plant to the stakes with 2 plant ties, 1 tie to each stake. Each tie must form a figure 8 by crossing the tie between the plant and the stake as shown. Install ties at the lowest position that will support the plant in an upright position. Ties must provide trunk flexibility but not allow the trunk to rub against the stakes. Wrap each end of the tie 1-1/2 turns around the stake and securely tie.

Construct a watering basin around each plant as shown.

If required, install a foliage protector:

1. Over the plant within 2 days after planting.
2. Vertically and centered over the plant as shown

If foliage protectors are required:

1. Cut the bottom of the wire cylinder to match the slope of the ground. Do not leave sharp points of wire after cutting. Sharp points must be bent over or blunted.
2. Install 2 support stakes for foliage protectors vertically and embed in the soil on opposite sides of the plant as shown and in a transverse direction to the prevailing wind.
3. Either weave the support stakes through the wire cylinder mesh at 6 inch maximum centers or fasten the wire cylinder to the support stakes at 6 inch maximum centers.
4. Wire cylinder must be snug against the support stakes but loose enough to be raised for pesticide application or to perform weeding within the plant basin.
5. Install jute mesh cover over the foliage protector and secure with twine as shown.

### **20-3.03C(3)(c) Groundcover Plants**

Each groundcover planting area irrigated by a single control valve must be completely planted and watered before planting other groundcover planting areas.

Plant groundcover plants in moist soil, and in neat, straight rows, spaced as shown.

Apply fertilizer to groundcover plants and water into the soil immediately after planting.

### **20-3.03C(3)(d) Cuttings, Liners, Plugs, and Seedling Plants**

#### **20-3.03C(3)(d)(i) General**

Apply fertilizer to cuttings, liners, plugs, and seedling plants and water immediately after planting.

Ensure the soil is moist to a minimum depth of 8 inches before planting cuttings.

If a root stimulant is to be used, apply it according to the manufacturer's instructions.

#### **20-3.03C(3)(d)(ii) Willow Cuttings**

Unless otherwise shown, for willow cuttings excavate planting holes perpendicular to the ground line by using a steel bar, auger, post hole digger, or similar tools. Holes must be large enough to receive the cuttings and fertilizer packet. Plant willow cuttings to the specified depths without damaging the bark.

Where rock or other hard material prohibits the excavation of the planting holes, excavate new holes and backfill the unused holes.

Plant willow cuttings during the period specified in the special provisions.

Apply root stimulant according to the manufacturer's instructions.

Plant the base of the cutting 10 to 12 inches deep with 3 to 5 bud scars exposed above the ground. If more than 5 bud scars are exposed, trim off the excess willow cutting length.

Place 1 fertilizer packet in the backfill of each cutting, 6 to 8 inches below the ground surface and approximately 1 inch from the cutting.

Backfill the plant holes with excavated material after planting. Distribute the excavated material evenly within the hole without clods, lumps, or air pockets. Compact the backfill so that the cutting cannot be easily removed from the soil. Do not damage the cutting's bark.

Dispose of trimmings and unused cuttings.

#### **20-3.03C(3)(d)(iii) Cottonwood Cuttings**

Reserved

#### **20-3.03C(3)(d)(iv) *Carpobrotus* and *Delosperma* Cuttings**

Plant *Carpobrotus* cuttings to a depth so that not less than 2 nodes are covered with soil. The basal end of *Delosperma* cuttings must not be less than 2 inches below the surface of the soil and the basal end of *Carpobrotus* cuttings must not be less than 4 inches below the surface of the soil.

Apply root stimulant to *Delosperma* cuttings before planting.

Do not plant *Carpobrotus* or *Delosperma* cuttings in soil that does not contain sufficient moisture at an average depth of 2 inches below the surface.

#### **20-3.03C(3)(d)(v) Liner Plants**

Plant liner plants during the period specified in the special provisions.

If a foliage protector is required, install under section 20-3.03C(3)(b).

#### **20-3.03C(3)(d)(vi) Plug Plants**

Plant plug plants during the period specified in the special provisions.

#### **20-3.03C(3)(d)(vii) Seedling Plants**

Plant seedling plants during the period specified in the special provisions.

#### **20-3.03C(3)(e) Sod**

After all other planting is performed, grade sod areas to drain and to a smooth and uniform surface. Fine grade and roll sod areas before placing sod.

Areas adjacent to sidewalks, edging, and other paved borders and surfaced areas must be 1 inch below the finished surface elevation of the facilities, after fine grading, rolling, and settlement of the soil.

Place sod such that the end of each adjacent strip is staggered a minimum of 2 feet. Place the edge and end of sod firmly against adjacent sod and against sidewalks, edging, and other paved borders and surfaced areas.

Lightly roll the entire sodded area to eliminate air pockets and ensure close contact with the soil after placement of sod. Water the sodded areas so that the soil is moist to a minimum depth of 4 inches after rolling. Do not allow the sod to dry out.

If irregular or uneven areas appear in the sodded areas, restore to a smooth and even appearance.

Trim sod to a uniform edge at sidewalks, edging, and other paved borders and surfaced areas. Trimming must be repeated whenever the edge of sod extends 1 inch beyond the edge of the edging, sidewalks, and other paved borders and surfaced areas. Remove and dispose of trimmed sod.

Mow sod when it has reached a height of 4 inches. Mow sod to a height of 2.5 inches.

### **20-3.03D Payment**

Soil amendment is measured in the vehicle at the point of delivery.

Measurement for slow-release fertilizer, organic fertilizer, or iron sulfate is determined from marked weight or sack count.

Various sizes and types of plants are measured by either the product of the average plant density and the total area planted or by actual count of the living plants in place, determined by the Engineer. The average plant density is the number of living plants per sq yd determined from actual count of test areas chosen representing the total planted area. The size and location of the test areas is determined by you and the Engineer, except that the total area tested must be equal to not less than 3 percent nor more than 5 percent of the planted area being determined. The Engineer makes the final determination of the areas to be tested.

### **20-3.04–20-3.08 RESERVED**

## **20-4 PLANT ESTABLISHMENT WORK**

### **20-4.01 GENERAL**

#### **20-4.01A Summary**

Section 20-4 includes specifications for performing plant establishment work.

Plant establishment consists of caring for the plants, including watering, fertilizing, pruning, replacing damaged plants, pest control, and operating and repairing of all existing irrigation facilities used and irrigation facilities installed as part of the new irrigation system.

Working days on which no work is required, as determined by the Engineer, will be credited as a plant establishment working day, regardless of whether or not you perform plant establishment work.

Working days whenever you fail to adequately perform plant establishment work will not be credited toward the plant establishment working days.

#### **20-4.01B Definitions**

**Type 1 plant establishment:** Plant establishment period with the number of working days specified for plant establishment beginning after all work has been completed except for plant establishment work and other bid items specified to be performed until Contract acceptance.

**Type 2 plant establishment:** Plant establishment period with the number of working days specified for plant establishment beginning after all planting work has been completed except for plant establishment work and other bid items specified to be performed until Contract acceptance, provided that the Contract must not be accepted unless the plant establishment work has been satisfactorily performed for at least the number of working days specified for plant establishment.

If maintenance and protection relief is granted for a completed portion of the work under section 5-1.38, Type 2 plant establishment period for the completed portion of the work is the time between completion of all planting work except for plant establishment work, and the granting of maintenance and protection relief, provided that the relief must not be granted unless the plant establishment work in the completed portion of the work has been satisfactorily performed for at least the number of working days specified for the plant establishment period.

#### **20-4.01C Submittals**

##### **20-4.01C(1) General**

Submit seasonal watering schedules for use during the plant establishment period within 10 days after the start of the plant establishment period. Remote irrigation control system watering schedule must utilize the remote irrigation control system software program.

Submit updated watering schedules within 5 business days after any changes have been made to the authorized schedules.

Submit a revised watering schedule for each irrigation controller not less than 30 days before completion of the plant establishment period.

#### **20-4.01C(2) Notification**

The Engineer will notify you in writing when the plant establishment period begins and will furnish statements regarding the number of working days credited to the plant establishment period after the notification.

Notify the Engineer at least 5 business days before applying each application of fertilizer.

#### **20-4.01D Quality Control and Assurance**

Provide training by a qualified person on the use and adjustment of the irrigation controllers installed, 30 days before completion of the plant establishment period.

Perform a final inspection of the plant establishment work in the presence of the Engineer between 20 and 30 days before Contract acceptance.

### **20-4.02 MATERIALS**

#### **20-4.02A General**

Reserved

#### **20-4.02B Fertilizers**

Fertilizer must comply with section 20-3.01B(5).

### **20-4.03 CONSTRUCTION**

#### **20-4.03A General**

Remove trash and debris.

Surplus earth accumulated in roadside clearing and planting areas must be removed.

Trim and mow turf areas as specified for sod in section 20-3.03C(3)(e). Dispose of trimmed and mowed material.

If irregular or uneven areas appear within turf areas, restore to a smooth and even appearance. Reseed turf seed areas.

Remove the tops of foliage protectors if plants become restricted.

Remove foliage protectors, including support stakes, within 30 days before the completion of the plant establishment period.

Keep plant basin walls well formed.

Clean new wye strainers and existing wye strainers that are a part of the new irrigation system annually until the completion of the plant establishment period. The last cleaning must be done within 15 days before the completion of the plant establishment period.

Remove, clean, and reinstall new filters and existing filters that are a part of the new irrigation system annually until the completion of the plant establishment period. The last cleaning must be done within 15 days before the completion of the plant establishment period.

#### **20-4.03B Plant Growth Control**

Prune plants planted as part of the Contract as authorized.

Remove plant growth that extends within 2 feet of sidewalks, curbs, dikes, shoulders, walls or fences.

Remove proposed and existing ground cover from within the plant basins, including basin walls, turf areas, and planting areas within edging.



Vines next to walls and fences must be kept staked and tied. Train vines on fences and walls or through cored holes in walls.

#### **20-4.03C Fertilizers**

Apply fertilizer to the plants as specified and water into the soil after each application.

Apply fertilizer at the rates shown and spread with a mechanical spreader, whenever possible.

#### **20-4.03D Weed Control**

Control weeds under section 20-1.03C(3).

#### **20-4.03E Plant Staking**

Replace the plant stakes that are inadequate to support plants with larger stakes.

Remove plant stakes when the Engineer determines they are no longer needed.

#### **20-4.03F Replacement Plants**

Replacement plants must comply with section 20-3.01C(4).

Replacement of plants up to and including the 125th plant establishment working day must be with a plant of the same size as originally specified. Plants of a larger container size than those originally specified for replacement plants may be used during the first 125 working days of the plant establishment period.

Replacement of plants after the 125th plant establishment working day must comply with the following size requirements:

Plant size (Original)	Plant size (Replacement)
Pot/liner/plug/ seedling	No. 1 container
No. 1 container	No. 5 container
No. 5 container	No. 15 container

Other replacement plants must be the same size as originally specified.

Replacement ground cover plants must comply with the following spacing requirements:

Original spacing (inches)	On center spacing of replacement ground cover plants (inches)		
	Number of completed plant establishment working days		
	1–125	126–190	191–End of plant establishment period
9	9	6	6
12	12	9	6
18	18	12	9
24	24	18	12
36	36	24	18

#### **20-4.03G Watering**

Operate the electric automatic irrigation systems in the automatic mode unless authorized.

If any component of the electric automatic irrigation system is operated manually, the day will not be credited as a plant establishment working day unless the manual operation is authorized.

Water plants utilizing the remote irrigation control system software program unless authorized.

Implement the watering schedule at least 10 days before completion of the plant establishment period.

#### **20-4.04 PAYMENT**

Not Used

### **20-5 LANDSCAPE ELEMENTS**

#### **20-5.01 GENERAL**

##### **20-5.01A General**

Section 20-5 includes specifications for constructing and installing landscape elements.

##### **20-5.01B Materials**

Not Used

##### **20-5.01C Construction**

Earthwork must comply with section 19.

##### **20-5.01D Payment**

Not Used

#### **20-5.02 EDGING**

##### **20-5.02A General**

Section 20-5.02 includes specifications for constructing landscape edging.

##### **20-5.02B Materials**

###### **20-5.02B(1) General**

Reserved

###### **20-5.02B(2) Header Board Edging**

Lumber for header board edging must be one of the following types:

1. Construction grade cedar
2. Pressure-treated Douglas fir
3. Construction heart grade redwood complying with section 57-2.01B(2)

Lumber must be:

1. Rough cut from sound timber.
2. Straight. Sweep must not exceed 1 inch in 6 feet.
3. Free from loose or unsound knots. Knots must be sound, tight, well spaced, and not to exceed 2 inches in size on any face.
4. Free of shakes in excess of 1/3 the thickness of the lumber.
5. Free of splits longer than the thickness of the lumber.
6. Free of other defects that would render the lumber unfit structurally for the purpose intended.

Edging anchors for header board edging must be stakes of the size and shape shown.

###### **20-5.02B(3) Metal Edging**

Metal edging must be commercial quality, made of aluminum or steel, and have an L-shaped design. Edging must be a minimum of 4 inches in height. The thickness must be as recommended by the manufacturer for the use intended.

Edging anchors must be from the same manufacturer as the metal edging.

**20-5.02B(4) High Density Polyethylene Edging**

HDPE edging must be commercial quality and a minimum of 4 inches in height. The thickness must be as recommended by the manufacturer for commercial installation for the use intended.

Edging anchors must be from the same manufacturer as HDPE edging.

**20-5.02B(5) Concrete Edging**

Concrete for edging must be minor concrete.

**20-5.02B(6)–20-5.02B(10) Reserved****20-5.02C Construction****20-5.02C(1) General**

Where edging is used to delineate the limits of inert ground cover or mulch areas, install edging before installing inert ground cover or mulch areas.

Saw cut surfaces where (1) asphalt concrete or concrete surfacing must be removed to permit the installation of edging and (2) no joint exists between the surfacing to be removed and the surfacing to remain in place. The surfacing must be cut in a straight line to a minimum depth of 2 inches with a power-driven saw before the surfacing is removed. Spike or stake spacing must comply with the manufacturer's instructions for use and site conditions.

**20-5.02C(2) Header Board Edging**

Each stake must be driven flush with the top edge of the header board edging and the stake top must be beveled away from the header board at a 45 degree angle. Attach stake to header board with a minimum of two 12-penny hot dipped galvanized nails per stake.

**20-5.02C(3) Metal and High Density Polyethylene Edging**

Spike or stake spacing must comply with the manufacturer's instructions for use and site conditions.

**20-5.02C(4) Concrete Edging**

Construct and finish minor concrete edging under section 73-2.

**20-5.02C(5)–20-5.02C(9) Reserved****20-5.02D Payment**

Edging is measured parallel to the ground surface.

**20-5.03 INERT GROUND COVERS AND MULCHES****20-5.03A General****20-5.03A(1) General****20-5.03A(1)(a) Summary**

Section 20-5.03 includes specifications for installing inert ground covers and mulches.

**20-5.03A(1)(b) Definitions**

Reserved

**20-5.03A(1)(c) Submittals**

Submit:

1. Filter fabric product data including the manufacturer's product sheet and installation instructions
2. Certificate of compliance for filter fabric at least 5 business days before delivery of the material to the job site

**20-5.03A(1)(d) Quality Control and Assurance**

Reserved

**20-5.03A(2) Materials**

Soil sterilant must be oxadiazon granular preemergent and must comply with section 20-1.02C.

Filter fabric must be Class A. Staples for filter fabric must comply with section 21-1.02R.

**20-5.03A(3) Construction****20-5.03A(3)(a) General**

Before performing inert ground cover and mulch work, remove plants and weeds to ground level.

**20-5.03A(3)(b) Earthwork**

Excavate areas to receive inert ground cover or mulch to the depth shown. Maintain the planned flow lines, slope gradients, and contours of the job site. Grade subgrade to a smooth and uniform surface and compact to not less than 90 percent relative compaction.

**20-5.03A(3)(c) Treatment of Soil**

After compaction, apply soil sterilant at the maximum label rate. Do not apply soil sterilant more than 12 inches beyond the inert ground cover or mulch limits. The soil sterilant application and inert ground cover or mulch placement must be completed within the same work day.

**20-5.03A(3)(d) Filter Fabric**

Immediately before placing filter fabric, surfaces to receive filter fabric must be free of loose or extraneous material and sharp objects that may damage the filter fabric during installation.

Align fabric and place in a wrinkle-free manner.

Overlap adjacent rolls of the fabric from 12 to 18 inches. Spread each overlapping roll in the same direction. Fasten fabric with staples flush with the adjacent fabric to prevent movement of fabric by placement of inert ground cover or mulch.

Repair or replace fabric damaged during placement of inert ground cover or mulch with sufficient fabric to comply with overlap requirements.

**20-5.03A(4) Payment**

Not Used

**20-5.03B Rock Blanket****20-5.03B(1) General****20-5.03B(1)(a) Summary**

Section 20-5.03B includes specifications for placing rock blanket.

**20-5.03B(1)(b) Definitions**

Reserved

**20-5.03B(1)(c) Submittals**

Submit a 1 sq yd sample of the various rock sizes.

**20-5.03B(1)(d) Quality Control and Assurance**

Reserved

**20-5.03B(2) Materials****20-5.03B(2)(a) General**

Do not use filter fabric.

**20-5.03B(2)(b) Concrete**

Concrete must be minor concrete.

**20-5.03B(2)(c) Rock**

Rock must be clean, smooth, and obtained from a single source and must comply with the following grading requirements:

**Grading Requirements**

Screen size (inches)	Percentage passing
8	100
6	50-85
4	0-50

**20-5.03B(2)(d) Mortar**

Mortar must comply with section 51-1.02F.

**20-5.03B(3) Construction**

Place concrete as shown.

Rock must be placed while concrete is still plastic. Remove concrete adhering to the exposed surfaces of the rock.

Loose rocks or rocks with a gap greater than 3/8 inch must be reset by an authorized method. The rock gap is measured from the edge of the rock to the surrounding concrete bedding.

Place mortar as shown.

**20-5.03B(4) Payment**

Rock blanket is measured parallel to the rock blanket surface.

**20-5.03C Gravel Mulch****20-5.03C(1) General****20-5.03C(1)(a) Summary**

Section 20-5.03C includes specifications for placing gravel mulch.

**20-5.03C(1)(b) Definitions**

Reserved

**20-5.03C(1)(c) Submittals**

Submit a 5-lb sample of the gravel mulch.

**20-5.03C(1)(d) Quality Control and Assurance**

Reserved

**20-5.03C(2) Materials**

Gravel mulch must be:

1. Uniform gray color
2. From a single source only
3. Crushed rock that complies with the following grading requirements:

**Grading Requirements**

Sieve size	Percent passing
1-1/4 inch	100
3/4 inch	60-80
1/2 inch	45-65
No. 40	5-20

### **20-5.03C(3) Construction**

Place gravel and compact by rolling.

The finished gravel mulch surface must be smooth and uniform, maintaining original flow lines, slope gradients, and contours of the job site.

### **20-5.03C(4) Payment**

Gravel mulch is measured parallel to the gravel mulch surface.

### **20-5.03D Decomposed Granite**

#### **20-5.03D(1) General**

##### **20-5.03D(1)(a) Summary**

Section 20-5.03D includes specifications for placing decomposed granite.

##### **20-5.03D(1)(b) Definitions**

Reserved

##### **20-5.03D(1)(c) Submittals**

Five business days before delivery of the materials to the job site, submit:

1. Solidifying emulsion product data including the manufacturers' product sheets and installation instructions
2. Certificate of compliance for solidifying emulsion
3. 5-lb sample of the decomposed granite

##### **20-5.03D(1)(d) Quality Control and Assurance**

Test plot must be:

1. Constructed at an authorized location
2. At least 3 by 12 feet
3. Constructed using the materials, equipment, and methods to be used in the work
4. Authorized before starting work

Notify the Engineer not less than 7 days before constructing the test plot.

The Engineer uses the authorized test plot to determine acceptability of the work.

If ordered, prepare additional test plots. Additional test plots are change order work.

If the test plot is not incorporated into the work, the Engineer may order you to remove it.

#### **20-5.03D(2) Materials**

##### **20-5.03D(2)(a) General**

Decomposed granite must be:

1. Uniform gray or tan color
2. From one source only
3. Crushed granite rock that complies with grading requirements shown in the following table:

### Grading Requirements

Sieve size	Percent passing
3/8 inch	100
No. 4	95–100
No. 8	75–80
No. 16	55–65
No. 30	40–50
No. 50	25–35
No. 100	20–25
No. 200	5–15

Note:

Grading based upon AASHTO T11-82 and T27-82

#### **20-5.03D(2)(b) Solidifying Emulsion**

Solidifying emulsion must be either a water-based polymer or nontoxic organic powdered binder specifically manufactured to harden decomposed granite. The solidifying emulsion must not alter the decomposed granite color.

#### **20-5.03D(3) Construction**

Do not place decomposed granite during rainy conditions.

Mix solidifying emulsion thoroughly and uniformly throughout the decomposed granite and under the manufacturer's instructions. Mix the material in the field using portable mixing equipment, or delivered in mixer trucks from a local ready-mixed plant.

Place decomposed granite uniformly in layers no more than 1-1/2 inch thick. Compact each layer of decomposed granite to a relative compaction of not less than 90 percent. Begin compaction within 6 to 48 hours of placement.

If the material was mixed in the field, apply an application of solidifying emulsion after compaction as recommended by the manufacturer. Prevent runoff or overspray of solidifying emulsion onto adjacent paved or planting areas.

The finished decomposed granite surface must be smooth and uniform, compacted to a relative compaction of not less than 90 percent, maintaining original flow lines, slope gradients, and contours of the job site.

#### **20-5.03D(4) Payment**

Not Used

#### **20-5.03E Wood Mulch**

##### **20-5.03E(1) General**

##### **20-5.03E(1)(a) Summary**

Section 20-5.03E includes specifications for placing wood mulch.

##### **20-5.03E(1)(b) Definitions**

Reserved

##### **20-5.03E(1)(c) Submittals**

Submit a certificate of compliance for mulch.

Submit a 2 cu ft mulch sample with the mulch source listed on the bag and obtain approval before delivery of mulch to the job site.

##### **20-5.03E(1)(d) Quality Control and Assurance**

Reserved

## **20-5.03E(2) Materials**

### **20-5.03E(2)(a) General**

Mulch must not contain more than 0.1 percent of deleterious materials such as rocks, glass, plastics, metals, clods, weeds, weed seeds, coarse objects, sticks larger than the specified particle size, salts, paint, petroleum products, pesticides or other chemical residues harmful to plant or animal life.

Do not use filter fabric.

### **20-5.03E(2)(b) Tree Bark Mulch**

Tree bark mulch must be derived from cedar, Douglas fir, or redwood species.

Tree bark mulch must be ground so that at least 95 percent of the material by volume is less than 2 inches and no more than 30 percent by volume is less than 1 inch.

### **20-5.03E(2)(c) Wood Chip Mulch**

Wood chip mulch must:

1. Be derived from clean wood
2. Not contain leaves or small twigs
3. Contain at least 95 percent wood chips by volume with average thickness of 1/16 to 3/8 inch in any direction and 1/2 to 3 inches in length

### **20-5.03E(2)(d) Shredded Bark Mulch**

Shredded bark mulch must:

1. Be derived from trees
2. Be a blend of loose, long, thin wood, or bark pieces
3. Contain at least 95 percent wood strands by volume with average thickness of 1/8 to 1-1/2 inches in any direction and 2 to 8 inches in length

### **20-5.03E(2)(e) Tree Trimming Mulch**

Tree trimming mulch must:

1. Be derived from chipped trees and may contain leaves and small twigs.
2. Contain at least 95 percent material by volume less than 3 inches and no more than 30 percent by volume less than 1 inch

### **20-5.03E(2)(f)–20-5.03E(2)(j) Reserved**

### **20-5.03E(3) Construction**

Spread mulch placed in areas outside of plant basins to a uniform thickness as shown.

Mulch must be placed at the rate described and placed in the plant basins or spread in areas as shown after the plants have been planted. Mulch placed in plant basins must not come in contact with the plant crown and stem.

Spread mulch from the outside edge of the proposed plant basin or plant without basin to the adjacent edges of shoulders, paving, retaining walls, dikes, edging, curbs, sidewalks, walls, fences, and existing plantings. If the proposed plant or plant without basin is 12 feet or more from the adjacent edges of shoulders, paving, retaining walls, dikes, edging, curbs, sidewalks, walls, fences, and existing plantings, spread the mulch 6 feet beyond the outside edge of the proposed plant basin or plant without basin.

Do not place mulch within 4 feet of:

1. Flow line of earthen drainage ditches
2. Edge of paved ditches
3. Drainage flow lines



Mulch is measured in the vehicle at the point of delivery.

**20-5.03F–20-5.03J Reserved**

**20-5.04 RESERVED**

Reserved

## 20-5.05 SITE FURNISHINGS

## 20-5.05A General

Section 20-5.05 includes specifications for installing site furnishings.

**20-5.05B–20-5.05Z Reserved**

**20-5.06–20-5.10 RESERVED**

AA

## 21 EROSION CONTROL

07-19-13

**Replace ", bonded fiber matrix, and polymer-stabilized fiber matrix" in the 1st paragraph of section 21-1.01B with:**

and bonded fiber matrix

04-20-12

**Delete the last paragraph of section 21-1.02E.**

04-20-12

**Replace section 21-1.02F(2) with:**

**21-1.02F(2) Reserved**

04-20-12

**Replace "20-7.02D(1)" in the 1st paragraph of section 21-1.02H with:**

20-3.01B(4)

07-19-13

**Replace section 21-1.02J with:**

**21-1.02J Reserved**

04-20-12

**Replace the row for organic matter content in the table in the 4th paragraph of section 21-1.02M with:**

01-18-13

Organic matter content	TMECC 05.07-A Loss-on-ignition organic matter method (LOI) % dry weight basis	30–100
------------------------	---	--------

10-19-12

Fiber roll must have a minimum functional longevity of 1 year.

## 01-18-13

Protect the traveled way, sidewalks, lined drainage channels, and existing vegetation from overspray of hydraulically-applied material.

## 01-18-13

**21-1.03B Reserved**

## 04-19-13

2 passes

## 04-20-12

**21-1.03I Reserved**

## 10-19-12

If soil conditions do not permit driving the stakes into the soil, drill pilot holes to facilitate driving of the stakes.

01-18-13

[illegible]

11-15-13

## 07-19-13

Section 28 includes specifications for constructing new concrete base and replacing existing base.

**Replace section 28-2 with:**

07-19-13

## **28-2 LEAN CONCRETE BASE**

### **28-2.01 GENERAL**

#### **28-2.01A Summary**

Section 28-2 includes specifications for constructing lean concrete base (LCB).

#### **28-2.01B Definitions**

**coarse aggregate:** Aggregate retained on a no. 4 sieve.

**fine aggregate:** Aggregate passing a no. 4 sieve.

#### **28-2.01C Submittals**

##### **28-2.01C(1) General**

At least 25 days before field qualification, submit the name of your proposed testing laboratory.

At least 10 days before field qualification, submit:

1. Aggregate qualification test results
2. Proposed aggregate gradation
3. Mix design, including:
  - 3.1. Proportions
  - 3.2. Types and amounts of chemical admixtures
4. Optional notice stating intent to produce LCB qualifying for a transverse contraction joint waiver under section 28-2.03D

Submittals for cementitious material must comply with section 90-1.01C(3).

Submit QC test results within 24 hours of test completion.

##### **28-2.01C(2) Field Qualification**

11-15-13

For each field qualification for each mix design, manufacture 12 specimens under ASTM C 31 and submit six of the specimens from 24 to 72 hours after manufacture. Use one batch for all 12 specimens.

07-19-13

Submit field qualification data and test reports including:

1. Mixing date
2. Mixing equipment and procedures used
3. Batch volume in cu yd, the minimum is 5 cu yd
4. Type and source of ingredients used
5. Age and strength from compression strength results

Field qualification test reports must be signed by the official in responsible charge of the laboratory performing the tests.

#### **28-2.01D Quality Control and Assurance**

##### **28-2.01D(1) General**

Stop LCB activities and immediately notify the Engineer whenever:

1. Any quality control or acceptance test result does not comply with the specifications
2. Visual inspection shows noncompliant LCB

If LCB activities are stopped, before resuming activities:

1. Inform the Engineer of the adjustments you will make

2. Remedy or replace the noncompliant LCB
3. Obtain authorization

Molds for compressive strength testing under ASTM C 31 or ASTM C 192 must be 6 by 12 inches.

Quality control and assurance for cementitious materials and admixtures must comply with section 90-1.01D(1)

#### **28-2.01D(2) Aggregate Qualification Testing**

Qualify the aggregate for each proposed aggregate source and gradation. Qualification tests include (1) sand equivalent and (2) average 7-day compressive strength under ASTM C 39 on 3 specimens manufactured under ASTM C 192. The cement content for this test must be 300 lb/cu yd, and the 7-day average compressive strength must be at least 610 psi. Cement must be Type II portland cement under section 90-1.02B(2).

LCB must have from 3 to 4 percent air content during aggregate qualification testing.

#### **28-2.01D(3) Field Qualification Testing**

Before placing LCB, you must perform field qualification testing and obtain authorization for each mix design. Retest and obtain authorization for changes to authorized mixed designs.

Proposed mix designs must be field qualified before you place the LCB represented by those mix designs. Use an American Concrete Institute (ACI) certified "Concrete Laboratory Technician, Grade I" to perform field qualification tests and calculations.

Notify the Engineer at least 5 days before field qualification. Perform field qualification within the job site or a location authorized by the Engineer.

Field qualification testing includes compressive strength, air content, and penetration or slump in compliance with the table titled "Quality Control Requirements."

Field qualification testing for compressive strength must comply with the following:

1. Manufacture 12 cylinders under ASTM C 31 from a single batch
2. Perform 3 tests; each test consists of determining the average compressive strength of 2 cylinders at 7 days under ASTM C 39
3. The average compressive strength for each test must be at least 530 psi

If you submitted a notice to produce LCB qualifying for a transverse contraction joint waiver, manufacture additional specimens and test LCB for compressive strength at 3 days. Prepare compressive strength cylinders under ASTM C 31 at the same time using the same material and procedures as the 7-day compressive strength cylinders except do not submit 6 additional test cylinders. The average 3-day compressive strength for each test must be not more than 500 psi.

#### **28-2.01D(4) Quality Control Testing**

Provide a testing laboratory to perform quality control tests. Maintain sampling and testing equipment in proper working condition. Perform sampling under California Test 125.

Testing laboratories and testing equipment must comply with the Department's Independent Assurance Program.

Perform quality control sampling, testing, and inspection throughout LCB production and placement. LCB must comply with the requirements for the quality characteristics shown in the following table:

### Quality Control Requirements

Quality characteristic	Test method	Minimum sampling and testing frequency	Requirement
Sand equivalent (min)	ASTM D 2419	1 per 500 cubic yards but at least 1 per day of production	18
Aggregate gradation	ASTM C 136		Note a
Air content (max, percent) <sup>b</sup>	ASTM C 231		4
Penetration (inches)	ASTM C 360		0 to 1-1/2 nominal <sup>c, d</sup>
Slump (inches)	ASTM C 143		0-3 nominal <sup>c, d</sup>
Compressive strength (min, psi at 7 days)	ASTM C 39 <sup>e</sup>		530
Compressive strength (max, psi at 3 days) <sup>f</sup>	ASTM C 39 <sup>e</sup>		500

<sup>a</sup> Comply with the table titled "Aggregate Grading" in section 28-2.02C.

<sup>b</sup> If no single test in the first 5 air content tests exceeds 1-1/2 percent, no further air content tests are required.

<sup>c</sup> Maximum penetration must not exceed 2 inches and maximum slump must not exceed 4 inches

<sup>d</sup> Test for either penetration or slump

<sup>e</sup> Prepare cylinders under ASTM C 31

<sup>f</sup> Only applicable if you (1) submitted a notice stating intent to produce LCB qualifying for a transverse contraction joint waiver and (2) successfully field qualified the LCB for 3-day compressive strength. Make cylinders at the same time using the same material and procedures as QC testing for 7-day compressive strength.

### 28-2.01D(5) Acceptance Criteria

For acceptance, properties of LCB must comply with values shown in the following table:

#### Acceptance Criteria Testing

Property	Test method	Value
Compressive strength (min, psi at 7 days)	ASTM C 39 <sup>a</sup>	530 <sup>b</sup>

<sup>a</sup> Cylinders prepared under ASTM C 31

<sup>b</sup> A compressive strength test represents up to (1) 1,000 cu yd or (2) 1 day's production if less than 1,000 cu yd.

## 28-2.02 MATERIALS

### 28-2.02A General

Water must comply with section 90-1.02D.

The air content in LCB must not exceed 4 percent. If the aggregate used for LCB is produced from processed reclaimed asphalt concrete or other material that may cause the air content to exceed 4 percent, reduce the air content with an admixture.

A water-reducing chemical admixture may be used. Water-reducing chemical admixture must comply with ASTM C 494, Type A or Type F.

Air-entraining admixtures must comply with section 90-1.02E.

### 28-2.02B Cementitious Material

Portland cement must comply with section 90-1.02B. Portland cement content must not exceed 300 lb/cu yd.

SCM must comply with section 90-1.02B except the equations for SCM content under 90-1.02B(3) do not apply.

For aggregate qualification testing, use Type II portland cement under section 90-1.02B(2) without SCM.

### 28-2.02C Aggregate

Aggregate must be clean and free from decomposed material, organic material, and other deleterious substances. Aggregate samples must not be treated with lime, cement, or chemicals before testing for sand equivalent.

Use either 1-1/2 inch or 1 inch grading. Do not change your selected aggregate grading without authorization.

When tested under ASTM C 136, the percentage composition by weight of the aggregate must comply with the grading requirements for the sieve sizes shown in the following table:

Sieve sizes	Aggregate Grading			
	Percentage passing			
	1-1/2" maximum		1" maximum	
	Operating range	Contract compliance	Operating range	Contract compliance
2"	100	100	--	--
1-1/2"	90-100	87-100	100	100
1"	--	--	90-100	87-100
3/4"	50-85	45-90	50-100	45-100
3/8"	40-75	35-80	40-75	35-80
No. 4	25-60	20-65	35-60	30-65
No. 30	10-30	6-34	10-30	6-34
No. 200	0-12	0-15	0-12	0-15

Aggregate must comply with the quality requirements shown in the following table:

Aggregate Quality			
Property	Test Method	Operating range	Contract compliance
Sand equivalent (min)	ASTM D 2419	21	18
Compressive strength (min, psi at 7 days)	ASTM C 192 ASTM C 39	--	610 at 300 lb/cu yd cement content

Note: Cement must be Type II portland cement under section 90-1.02B(2).

If the aggregate grading or the sand equivalent test results, or both comply with contract compliance requirements but not operating range requirements, you may continue placing LCB for the remainder of the work day. Do not place additional LCB until you demonstrate the LCB to be placed complies with the operating range requirements.

### 28-2.03 CONSTRUCTION

#### 28-2.03A General

Do not allow traffic or equipment on the LCB for at least 72 hours after the 1st application of the curing compound and completion of contraction joints. Limit traffic and equipment on the LCB to that is required for placing additional layers of LCB or paving.

#### 28-2.03B Subgrade

Immediately before spreading LCB, the subgrade must:

1. Comply with the specified compaction and elevation tolerance for the material involved
2. Be free from loose or extraneous material
3. Be uniformly moist

Areas of subgrade lower than the grade established by the Engineer must be filled with LCB. The Department does not pay for filling low areas of subgrade.

### **28-2.03C Proportioning, Mixing, and Transporting**

Proportion LCB under section 90-1.02F except aggregate does not have to be separated into sizes.

Mix and transport LCB under section 90-1.02G except the 5th and 7th paragraphs in section 90-1.02G(6) do not apply.

### **28-2.03D Placing**

Place LCB under section 40-1.03H(1) except the 3rd paragraph does not apply.

Unless otherwise described, construct LCB in minimum widths of 12 feet separated by construction joints. For LCB constructed monolithically in widths greater than 26 feet, construct a longitudinal contraction joint offset no more than 3 feet from the centerline of the width being constructed.

Contraction joints must comply with section 40-1.03D(3).

Construct transverse contraction joints in intervals that result in LCB areas where the lengths and widths are within 20 percent of each other. Measure the widths from any longitudinal construction or longitudinal contraction joints.

The Engineer waives the requirement for transverse contraction joints if you:

1. Submitted a notice under 28-2.01C(1)
2. Successfully field qualified LCB for 3-day compressive strength testing
3. Submit QC test results for 3-day compressive strength under section 28-2.01D(4).

If concrete pavement will be placed on LCB, construct longitudinal construction and longitudinal contraction joints in the LCB. Provide at least 1 foot horizontal clearance from planned longitudinal construction and longitudinal contraction joints in the concrete pavement.

Do not mix or place LCB when the atmospheric temperature is below 35 degrees F. Do not place LCB on frozen ground.

### **28-2.03E Finishing**

Place LCB under section 40-1.03H(4) or under section 40-1.03H(5) except where there are confined work areas and when authorized:

1. Spread and shape LCB using suitable powered finishing machines and supplement with hand work as necessary
2. Consolidate LCB using high-frequency internal vibrators within 15 minutes after LCB is deposited on the subgrade
3. Vibrate with care such that adequate consolidation occurs across the full paving width and do not use vibrators for extensive weight shifting of the LCB

For LCB to be paved with HMA, before curing operation texture the LCB finished surface by dragging a broom, burlap, or a spring steel tine device. If using a spring steel tine device, the device must produce a scored surface with scores parallel or transverse to the pavement centerline. Texture at a time and in a manner that produces the coarsest texture for the method used.

For LCB to be paved with HMA, the finished surface must not vary more than 0.05 foot from the grade established by the Engineer.

Do not texture LCB that will be covered with concrete pavement. Before applying curing compound, finish LCB to a smooth surface free from mortar ridges and other projections.

For LCB to be paved with concrete pavement, the finished surface must not be above the grade, or more than 0.05 foot below the grade established by the Engineer.

The finished surface must be free from porous areas.

### **28-2.03F Curing**

After finishing LCB, cure LCB with pigmented curing compound under section 90-1.03B(3) and 40-1.03K except for LCB to be paved with concrete pavement, comply with section 36-2. Apply curing compound to the area to be paved with concrete pavement:

1. In 2 separate applications
2. Before the atmospheric temperature falls below 40 degrees F
3. At a rate of 1 gal/150 sq ft for the first application
4. At a rate of 1 gal/200 sq ft for the second application. Within 4 days after the first application, clean the surface and apply the second application.

Immediately repair damage to the curing compound or LCB.

### **28-2.03G Surfaces Not Within Tolerance**

Where LCB will be paved with concrete pavement, remove the base wherever the surface is higher than the grade established by the Engineer and replace it with LCB. Where LCB will not be paved with concrete pavement, remove the base wherever the surface is higher than 0.05 foot above the grade established by the Engineer and replace it with LCB. If authorized, grind the surface with either a diamond or carborundum blade to within tolerance. After grinding LCB to be paved with concrete pavement and after all free water has left the surface, clean foreign material and grinding residue from the surface. Apply curing compound to the ground area at a rate of approximately 1 gal/150 sq ft.

Where the surface of LCB is lower than 0.05 foot from the grade established by the Engineer, remove the base and replace it with LCB or, if authorized, fill low areas according to the pavement material as follows:

1. For HMA pavement, fill low areas with HMA that complies with the specifications for the lowest layer of pavement. Do not fill low areas concurrently with the paving operation.
2. For concrete pavement, fill low areas with pavement concrete concurrent with the paving operation.

### **28-2.04 PAYMENT**

LCB is measured from the dimensions shown.

**Replace section 28-3 with:**

07-19-13

### **28-3 RAPID STRENGTH CONCRETE BASE**

Reserved

**Replace section 28-4 with:**

07-19-13

### **28-4 LEAN CONCRETE BASE RAPID SETTING**

Reserved

**Replace section 28-5 with:**

07-19-13

### **28-5 CONCRETE BASE**

Reserved



07-19-13

## 28-15 REPLACE BASE

Reserved

[illegible]

## 29 TREATED PERMEABLE BASES

**Replace "section 68-4.02C" in the 6th paragraph of section 29-1.03A with:**

04-20-12

section 64-4.03

04-18-14

The temperature of the aggregate before adding the asphalt binder must be from 275 to 325 degrees F.

Combine aggregate with 2.5 percent asphalt binder by weight of dry aggregate. An increase or decrease in the asphalt content may be ordered after your proposed aggregate supply has been tested. If an ordered increase or decrease exceeds the specified amount of asphalt content by more than 0.1 percent by weight of dry aggregate, compensation for ATPB is determined by the total increase or decrease in asphalt.

The Engineer determines the asphalt content of the asphalt mixture under California Test 382. The bitumen ratio (pounds of asphalt per 100 lb of dry aggregate) must not vary more than 0.5 lb of asphalt above or below the amount designated by the Engineer. Samples used to determine the bitumen ratio are obtained from trucks at the plant or from the mat behind the paver before rolling. If the sample is taken from the mat behind the paver, the bitumen ratio must not be less than the amount designated by the Engineer, less 0.7 lb of asphalt per 100 lb of dry aggregate.

04-18-14

Equipment for spreading and compacting ATPB must comply with section 39-1.03B. Compact ATPB in 1 layer using one of the following methods:

07-19-13

4th

**A A**

04-20-12

## 04-20-12

### **37-1.01D(2) Prepaving Conference**

For seal coats and micro-surfacing, schedule a prepaving conference at a mutually agreed upon time and place to meet with the Engineer.

Prepaving conference attendees must sign an attendance sheet provided by the Engineer. The prepaving conference must be attended by your:

1. Project superintendent
2. Paving construction foreman
3. Traffic control foreman

Be prepared to discuss:

1. Quality control
2. Acceptance testing
3. Placement
4. Training on placement methods
5. Checklist of items for proper placement
6. Unique issues specific to the project, including:
  - 6.1. Weather
  - 6.2. Alignment and geometrics
  - 6.3. Traffic control issues
  - 6.4. Haul distances
  - 6.5. Presence and absence of shaded areas
  - 6.6. Any other local issues

### **37-1.02 MATERIALS**

Not Used

### **37-1.03 CONSTRUCTION**

Not Used

### **37-1.04 PAYMENT**

Not Used

**Replace section 37-2 with:**

07-19-13

### **37-2 SEAL COATS**

#### **37-2.01 GENERAL**

##### **37-2.01A General**

##### **37-2.01A(1) Summary**

Section 37-2 includes specifications for applying seal coats.

##### **37-2.01A(2) Definitions**

Reserved

##### **37-2.01A(3) Submittals**

Reserved

##### **37-2.01A(4) Quality Control and Assurance**

The following personnel must attend the prepaving conference:

1. Aggregate suppliers
2. Chip spreader operators
3. Emulsion and binder distributor

4. Coated chips producer if coated chips are used

#### **37-2.01B Materials**

Screenings must be broken stone, crushed gravel, or both. At least 90 percent of screenings by weight must be crushed particles as determined under California Test 205.

Screenings for seal coats must have the properties specified in the following table:

<b>Seal Coat Screenings</b>		
Properties	Test method	Specification
Los Angeles Rattler, %, max	California Test	
Loss at 100 revolutions.	211	10
Loss at 500 revolutions.		40
Film stripping, %, max	California Test	25
	302	

#### **37-2.01C Construction**

##### **37-2.01C(1) General**

Wherever final sweeping or brooming of the seal coat surface is complete, place permanent traffic stripes and pavement markings within 10 days.

If you fail to place the permanent traffic stripes and pavement markings within the specified time, the Department withholds 50 percent of the estimated value of the seal coat work completed that has not received permanent traffic stripes and pavement markings.

##### **37-2.01C(2) Equipment**

Equipment for seal coats must include and comply with the following:

1. Screenings haul trucks. Haul trucks must have:
  - 1.1. Tailgates that discharge screenings
  - 1.2. Devices to lock onto the rear screenings spreader hitch
  - 1.3. Dump beds that will not push down on the spreader when fully raised
  - 1.4. Dump beds that will not spill screenings on the roadway when transferred to the spreader hopper
  - 1.5. Tarpaulins to cover precoated screenings when haul distance exceeds 30 minutes or ambient temperature is less than 65 degrees F
2. Self-propelled screenings spreader. The spreader must have:
  - 2.1. Screenings hopper in the rear
  - 2.2. Belt conveyors that carry the screenings to the front
  - 2.3. Spreading hopper capable of providing a uniform screening spread rate over the entire width of the traffic lane in 1 application.
3. Self-propelled power brooms. Do not use gutter brooms or steel-tined brooms. Brooms must be capable of removing loose screenings adjacent to barriers that prevent screenings from being swept off the roadway, including curbs, gutters, dikes, berms, and railings.
4. Pneumatic-tired rollers. Pneumatic-tired rollers must be an oscillating type at least 4 feet wide. Each roller must be self-propelled and reversible. Pneumatic tires must be of equal size, diameter, type, and ply. The roller must carry at least 3,000 lb of load on each wheel and each tire must have an air pressure of 100 ± 5 psi.

##### **37-2.01C(3) Surface Preparation**

Before applying seal coat, cover manholes, valve and monument covers, grates, or other exposed facilities located within the area of application, using a plastic or oil resistant construction paper secured by tape or adhesive to the facility being covered. Reference the covered facilities with a sufficient number of control points to relocate the facilities after the application of the seal coat.

After completion of the seal coat operation, remove covers from the facilities.

Immediately before applying seal coat, clean the surface to receive seal coat by removing extraneous material and drying. Cleaning the existing pavement includes the use of brooms.

#### **37-2.01C(4) Applying Emulsion and Asphalt Binder**

Prevent spray on existing pavement not intended for seal coat or on previously applied seal coat using a material such as building paper. Remove the material after use.

Align longitudinal joints between seal coat applications with designated traffic lanes.

For emulsion, overlap longitudinal joints by not more than 4 inches. You may overlap longitudinal joints up to 8 inches if authorized.

For areas not accessible to a truck distributor bar, apply the emulsion with a squeegee or other authorized means. For asphalt binder, hand spray nonaccessible areas. You may overlap the emulsion or asphalt binder applications before the application of screenings at longitudinal joints.

Do not apply the emulsion or asphalt binder unless there are sufficient screenings at the job site to cover the emulsion or asphalt binder.

Discontinue application of emulsion or asphalt binder early enough to comply with lane closure specifications and darkness. Apply to 1 lane at a time and cover the lane entirely in 1 operation.

#### **37-2.01C(5) Spreading Screenings**

Prevent vehicles from driving on asphaltic emulsion or asphalt binder before spreading screenings.

Spread screenings at a uniform rate over the full lane width in 1 application.

Broom excess screenings at joints before spreading adjacent screenings.

Operate the spreader at speeds slow enough to prevent screenings from rolling over after dropping.

If the spreader is not moving, screenings must not drop. If you stop spreading and screenings drop, remove the excess screenings before resuming activities.

#### **37-2.01C(6) Finishing**

Remove piles, ridges, or unevenly distributed screenings. Repair permanent ridges, bumps, or depressions in the finished surface. Spread additional screenings and roll if screenings are picked up by rollers or vehicles.

Seal coat joints between adjacent applications of seal coat must be smooth, straight, uniform, and completely covered. Longitudinal joints must be at lane lines and not overlap by more than 4 inches. Blend the adjacent applications by brooming.

A coverage is the number of passes a roller needs to cover the width. A pass is 1 roller movement parallel to the seal coat application in either direction. Overlapping passes are part of the coverage being made and are not part of a subsequent coverage. Do not start a coverage until completing the previous coverage.

Before opening to traffic, finish seal coat in the following sequence:

1. Perform initial rolling consisting of 1 coverage with a pneumatic-tired roller
2. Perform final rolling consisting of 3 coverages with a pneumatic-tired roller
3. Broom excess screenings from the roadway and adjacent abutting areas
4. Apply flush coat if specified

The Engineer may order salvaging of excess screenings.

Dispose of excess screenings the Engineer determines are not salvageable. Dispose of screenings in any of the following ways or locations:

1. Under section 14-10

2. On embankment slopes
3. In authorized areas

Salvaging and stockpiling excess screenings is change order work.

### **37-2.01C(7) Seal Coat Maintenance**

Seals coat surfaces must be maintained for 4 consecutive days from the day screenings are applied. Maintenance must include brooming to maintain a surface free of loose screenings, to distribute screenings over the surface so as to absorb any free asphaltic material, to cover any areas deficient in cover coat material, and to prevent formation of corrugations.

After 4 consecutive days, excess screenings must be removed from the paved areas. Brooming must not displace screenings set in asphaltic material.

The exact time of brooming will be determined by the Engineer. As a minimum, brooming will be required at the following times:

1. On 2-lane 2-way roadways, from 2 to 4 hours after traffic, controlled with pilot cars, has been routed on the seal coat
2. On multilane roadways, from 2 to 4 hours after screenings have been placed
3. In addition to previous brooming, immediately before opening any lane to public traffic, not controlled with pilot cars
4. On the morning following the application of screenings on any lane that has been open to public traffic not controlled with pilot cars and before starting any other activities

For 2-lane 2-way roadways under 1-way traffic control, upon completion of secondary rolling, public traffic must be controlled with pilot cars and routed over the new seal coat for a period of 2 to 4 hours. The Engineer will determine the exact period of time.

Schedule the operations so that seal coat is placed on both lanes of the traveled way each work shift and so that 1-way traffic control is discontinued 1 hour before darkness. At the end of the work shift, the end of the seal coat on both lanes must generally match.

On multilane roadways, initial brooming must begin after the screenings have been in place for a period of 2 to 4 hours. If the initial brooming is not completed during the work shift in which the screenings were placed, the initial brooming must be completed at the beginning of the next work shift.

Public traffic must be controlled with pilot cars and be routed on the new seal coat surface of the lane for a minimum of 2 hours after completion of the initial brooming and before opening the lane to traffic not controlled with pilot cars. When traffic is controlled with pilot cars, a maximum of 1 lane in the direction of travel must be open to public traffic. Once traffic controlled with pilot cars is routed over the seal coat at a particular location, continuous control must be maintained at that location until the seal coat placement and brooming on adjacent lanes to receive seal coat is completed.

### **37-2.01D Payment**

If there is no bid item for a traffic control system, furnishing and using a pilot car is included in the various items of the work involved in applying the seal coat.

If test results for the screenings grading do not comply with specifications, you may remove the seal coat represented by these tests or request that it remain in place with a payment deduction. The deduction is \$1.75 per ton for the screenings represented by the test results.

### **37-2.02 FOG SEAL**

#### **37-2.02A General**

##### **37-2.02A(1) Summary**

Fog seal coat includes applying a slow-setting asphaltic emulsion.

### **37-2.02A(2) Definitions**

Reserved

### **37-2.02A(3) Submittals**

Submit a 1/2-gallon sample of the asphaltic emulsion in a plastic container. Take the sample from the distributor truck spray bar at mid-load.

### **37-2.02A(4) Quality Control and Assurance**

Reserved

### **37-2.02B Material**

The Engineer selects the grade of slow-setting asphaltic emulsion to be used.

If additional water is added to the asphaltic emulsion, the resultant mixture must not be more than 1 part asphaltic emulsion to 1 part water. The Engineer determines the exact amount of additional water.

### **37-2.02C Construction**

Apply asphaltic emulsion for fog seal coat at a residual asphalt rate from 0.02 to 0.06 gal/sq yd. The Engineer determines the exact rate.

Apply fog seal coat when the ambient air temperature is above 40 degrees F.

Sprinkle water on fog seal coat that becomes tacky in an amount determined by the Engineer.

If fog seal coat and seal coat with screenings are specified on the same project, apply fog seal coat at least 4 days before applying the adjoining seal coat with screenings. The joint between the seal coats must be neat and uniform.

### **37-2.02D Payment**

The Department does not adjust the unit price for an increase or decrease in the asphaltic emulsion (fog seal coat) quantity.

## **37-2.03 FLUSH COATS**

### **37-2.03A General**

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Flush coat includes applying a fog seal coat to the surface, followed by sand.

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### **37-2.03B Material**

The Engineer selects the grade of slow-setting or quick-setting asphaltic emulsion to be used.

Sand for flush coat must comply with the material specifications for fine aggregate grading in section 90-1.02C(3). Sand must not include organic material or clay.

### **37-2.03C Construction**

Apply asphaltic emulsion for flush coat at a residual asphalt rate from 0.02 to 0.06 gal/sq yd. The Engineer determines the exact rate.

During flush coat activities, close adjacent lanes to traffic. Do not track asphaltic emulsion on existing pavement surfaces.

Apply sand immediately after the asphaltic emulsion application.

Spread sand with a self-propelled screenings spreader equipped with a mechanical device that spreads sand at a uniform rate over the full width of a traffic lane in a single application. Spread sand at a rate from 2 to 6 lb/sq yd. The Engineer determines the exact rate.

### **37-2.03D Payment**

The Department does not adjust the unit price for an increase or decrease in the sand cover for the flush coat quantity.

### **37-2.04 ASPHALTIC EMULSION SEAL COAT**

#### **37-2.04A General**

##### **37-2.04A(1) General**

##### **37-2.04A(1)(a) Summary**

Section 37-2.04 includes specifications for applying asphaltic emulsion seal coat. Asphaltic emulsion seal coat includes applying asphaltic emulsion, followed by screenings, and then a flush coat.

Asphaltic emulsion seal coat includes one or more of the following types:

1. Nonpolymer asphaltic emulsion seal coat
2. Polymer asphaltic emulsion seal coat

A double asphaltic emulsion seal coat is the application of asphaltic emulsion, followed by screenings applied twice in sequence.

##### **37-2.04A(1)(b) Definitions**

Reserved

##### **37-2.04A(1)(c) Submittals**

At least 10 days before starting asphaltic emulsion seal coat application, submit the name of an authorized laboratory that will be performing asphaltic emulsion QC testing.

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Submit a sample of asphaltic emulsion in a 1/2-gallon plastic container to the Engineer and to the authorized laboratory. Each sample must be submitted in an insulated shipping container within 24 hours of sampling.

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Within 7 days after taking samples, submit the authorized laboratory's test results for asphaltic emulsion.

##### **37-2.04A(1)(d) Quality Control and Assurance**

Samples for the screenings grading and cleanness value must be taken from the spreader conveyor belt.

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Within 3 business days of sampling, the authorized laboratory must test the asphaltic emulsion for:

1. Viscosity under AASHTO T 59
2. Sieve test under AASHTO T 59
3. Demulsibility under AASHTO T 59
4. Torsional recovery under California Test 332 for polymer asphaltic emulsion
5. Elastic recovery under AASHTO T 301 for polymer asphaltic emulsion

Circulate asphaltic emulsion in the distributor truck before sampling. Take samples from the distributor truck at mid load or from a sampling tap or thief. Before taking samples, draw and dispose of 1 gallon. In the presence of the Engineer take two 1/2-gallon samples every 55 tons or at least 1 day's production.

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#### **37-2.04A(2) Materials**

Not Used

#### **37-2.04A(3) Construction**

The Engineer determines the exact application rate.

At the time of application, the temperature of the asphaltic emulsion must be from 130 to 180 degrees F.



When tested under California Test 339, the application rate for asphaltic emulsion must not vary from the average by more than:

1. 15 percent in the transverse direction
2. 10 percent in the longitudinal direction

#### **37-2.04A(4) Payment**

Not Used

#### **37-2.04B Nonpolymer Asphaltic Emulsion Seal Coat**

##### **37-2.04B(1) General**

##### **37-2.04B(1)(a) Summary**

Section 37-2.04B includes specifications for applying a nonpolymer asphaltic emulsion seal coat.

##### **37-2.04B(1)(b) Definitions**

Reserved

##### **37-2.04B(1)(c) Submittals**

Reserved

##### **37-2.04B(1)(d) Quality Control and Assurance**

For nonpolymer asphaltic emulsion seal coat, if a test result for the screenings cleanness value is from 75 to 80, you may request that the asphaltic emulsion seal coat represented by the test remain in place. A payment deduction is made as specified in section 37-2.04D. If the screenings cleanness value is less than 75, remove the asphaltic emulsion seal coat.

##### **37-2.04B(2) Materials**

Screenings for nonpolymer asphaltic emulsion seal coat must have the gradation as determined under California Test 202 in the following table.

**Nonpolymer Asphaltic Emulsion Seal Coat Screenings  
Gradation**

Sieve sizes	Percentage passing			
	Coarse 1/2" max	Medium 3/8" max	Medium fine 5/16" max	Fine 1/4" max
3/4"	100	--	--	--
1/2"	95–100	100	--	--
3/8"	50–80	90–100	100	100
No. 4	0–15	5–30	30–60	60–85
No. 8	0–5	0–10	0–15	0–25
No. 16	--	0–5	0–5	0–5
No. 30	--	--	0–3	0–3
No. 200	0–2	0–2	0–2	0–2

The cleanness value determined under California Test 227 must be 80 or greater.

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##### **37-2.04B(3) Construction**

Asphaltic emulsion must be applied within the application rate ranges shown in the following table:

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#### Asphaltic Emulsion Application Rates

Screenings	Application rate range(gallons per square yard)
Fine	0.15–0.30
Medium fine	0.25–0.35
Medium	0.25–0.40
Coarse	0.30–0.40

Apply asphaltic emulsion when the ambient air temperature is from 65 to 110 degrees F and the pavement surface temperature is at least 80 degrees F.

Do not apply asphaltic emulsion when weather forecasts predict the ambient air temperature will fall below 39 degrees F within 24 hours after application.

For double asphaltic emulsion seal coat, the asphaltic emulsion must be applied within the application rates shown in the following table:

#### Asphaltic Emulsion Application Rates

Screenings	Application rate range (gal/sq yd)
Double	
1st application	0.20–0.35
2nd application	0.20–0.30

You may stockpile screenings for asphaltic emulsion seal coat if you prevent contamination. Screenings must have damp surfaces at spreading. If water visibly separates from the screenings, do not spread. You may redampen them in the delivery vehicle.

Spread screenings before the asphaltic emulsion sets or breaks.

Spread screenings within 10 percent of the rate determined by the Engineer. Screenings must have a spread rate within the ranges shown in the following table:

#### Screening Spread Rates

Seal coat type	Range (lb/sq yd)
Fine	12–20
Medium fine	16–25
Medium	20–30
Coarse	23–30

Do not spread screenings more than 2,500 feet ahead of the completed initial rolling.

For double asphaltic emulsion seal coat, screenings must have a spread rate within the ranges shown in the following table:

#### Screening Spread Rates

Seal coat type	Range (lb/sq yd)
Double	
1st application	23–30
2nd application	12–20

Remove excess screenings on the 1st application before the 2nd application of asphaltic emulsion.

**37-2.04B(4) Payment**

If asphaltic emulsion seal coat with screenings does not comply with the cleanness value specifications, you may request that the seal coat remain in place with a pay deduction corresponding to the cleanness value shown in the following table:

<b>Asphaltic Emulsion Seal Coat Cleanness Value Deductions</b>	
Cleanness value	Deduction
80 or over	None
79	\$2.00 /ton
77-78	\$4.00 /ton
75-76	\$6.00 /ton

**37-2.04C Polymer Asphaltic Emulsion Seal Coat****37-2.04C(1) General****37-2.04C(1)(a) Summary**

Section 37-2.04C includes specifications for applying a polymer asphaltic emulsion seal coat.

**37-2.04C(1)(b) Definitions**

Reserved

**37-2.04C(1)(c) Submittals**

At least 10 days before starting polymer asphaltic emulsion seal coat application, submit a signed copy of the test result report of the Vialit test method for aggregate retention in chip seals (french chip) to the Engineer and to:

DEPARTMENT OF TRANSPORTATION  
Division of Maintenance, Roadway Maintenance Office  
1120 N Street, MS 31  
Sacramento, CA 95814

**37-2.04C(1)(d) Quality Control and Assurance**

The authorized laboratory must test screenings for retention under the Vialit test method for aggregate in chip seals (french chip). The Vialit test results are not used for acceptance. The Vialit test is available at the METS Web site.

If the test results for polymer asphaltic emulsion do not comply with the specifications, the Engineer assesses a pay factor value for the following properties and increments:

**Polymer Asphaltic Emulsion Pay Factor Table**

Test method and property	Increment	Pay factor
<b>Test on polymer asphaltic emulsion</b>		
AASHTO T 59 (Viscosity, sec Saybolt Furol, at 50 °C)	Each 10 seconds above max or below min	1
AASHTO T 59 (settlement, 5 days, percent)	Each 1.5 percent above max	1
AASHTO T 59 (sieve test, percent max)	Each 0.2 percent above max	1
AASHTO T 59 (demulsibility percent)	Each 2 percent below min	1
<b>Test on residue from evaporation test</b>		
AASHTO T 49 (penetration, 25 °C)	Each 2 dm above max or below min	1
ASTM D 36 (field softening point °C)	2 °C below min	1
California Test 332 (torsional recovery <sup>a</sup> )	For each 1 increment below the min value of 18	1
	For each 2 increments below the min value of 18	3
	For each 3 or more increments below the min value of 18	10
ASTM T 301 (elastic recovery <sup>a</sup> )	For each 1 increment below the min value of 60	1
	For each 2 increment below the min value of 60	3
	For each 3 increment below the min value of 60	10

<sup>a</sup> The highest pay factor applies

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The Engineer assesses a pay factor of 1 for sampling not performed in compliance with the specifications, including shipping and sampling containers.

For polymer asphaltic emulsion seal coat, if a test result for the screenings cleanness value is from 75 to 86, you may request that the asphaltic emulsion seal coat represented by the test remain in place. A payment deduction is made as specified in section 37-2.04D. If the screenings cleanness value is less than 75, remove the asphaltic emulsion seal coat.

### **37-2.04C(2) Materials**

Polymer asphaltic emulsion must include elastomeric polymer.

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Polymer asphaltic emulsion must comply with section 94, Table 3, under the test on residue from evaporation test for Grades PMRS2, PMRS2h, PMCRS2, and PMCRS2h and the following:

1. The penetration at 39.2 degrees F (200g for 60 seconds) determined under AASHTO T 49 must be at least 6.
2. Elastic recovery determined under AASHTO T 301 must be at least 60 percent.
3. Polymer content in percent by weight does not apply.
4. The ring and ball softening point temperature determined under AASHTO T 53 for Test on Residue from Evaporation Test must comply with the following minimum temperature requirement:
  - 4.1. 126 degrees F for a geographical ambient temperature from 32 to 104 degrees F
  - 4.2. 129 degrees F for a geographical ambient temperature from 18 to 104 degrees F
  - 4.3. 135 degrees F for a geographical ambient temperature from 18 to greater than 104 degrees F

Screenings for polymer asphaltic emulsion seal coat must have the gradation as determined under California Test 202 in the following table:

**Polymer Asphaltic Emulsion Seal Coat Screenings Gradation**

Sieve sizes	Percentage passing			
	Coarse 1/2" max	Medium 3/8" max	Medium fine 5/16" max	Fine 1/4" max
3/4"	100	--	--	--
1/2"	85–100	100	--	--
3/8"	0–30	85–100	100	100
No. 4	0–5	0–15	0–50	60–85
No. 8	--	0–5	0–15	0–25
No. 16	--	--	0–5	0–5
No. 30	--	--	0–3	0–3
No. 200	0–2	0–2	0–2	0–2

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The cleanness value determined under California Test 227 must be 86 or greater.

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### 37-2.04C(3) Construction

Polymer asphaltic emulsion must be applied within the application rate ranges shown in the following table:

**Polymer Asphaltic Emulsion Application Rates**

Screenings	Application rate range(gallons per square yard)
Fine	0.15–0.30
Medium fine	0.25–0.35
Medium	0.25–0.40
Coarse	0.30–0.40

Apply polymer asphaltic emulsion when the ambient air temperature is from 60 to 105 degrees F and the pavement surface temperature is at least 55 degrees F.

Do not apply polymer asphaltic emulsion when weather forecasts predict the ambient air temperature will fall below 39 degrees F within 24 hours after application.

For double asphaltic emulsion seal coat, polymer asphaltic emulsion must be applied within the application rates shown in the following table:

**Polymer Asphaltic Emulsion Application Rates**

Screenings	Application rate range (gal/sq yd)
Double	
1st application	0.20–0.35
2nd application	0.20–0.30

You may stockpile screenings for polymer emulsion seal coat if you prevent contamination. Screenings must have damp surfaces at spreading. If water visibly separates from the screenings, do not spread. You may redampen them in the delivery vehicle.

Spread screenings before the polymer emulsion sets or breaks.

Spread screenings within 10 percent of the rate determined by the Engineer. Screenings must have a spread rate within the ranges shown in the following table:

<b>Screening Spread Rates</b>	
Seal coat type	Range (lb/sq yd)
Fine	12–20
Medium fine	16–25
Medium	20–30
Coarse	23–30

Do not spread screenings more than 2,500 feet ahead of the completed initial rolling.

For double seal coat, screenings must have a spread rate within the ranges shown in the following table:

<b>Screening Spread Rates</b>	
Seal coat type	Range (lb/sq yd)
Double	
1st application	23–30
2nd application	12–20

Remove excess screenings on the 1st application before the 2nd application of asphaltic emulsion.

#### **37-2.04C(4) Payment**

If polymer asphaltic emulsion seal coat with screenings does not comply with the specifications for cleanness value you may request that the seal coat remain in place with a pay deduction corresponding by the cleanness value shown in the following table:

<b>Polymer Asphaltic Emulsion Seal Coat Cleanness Value Deductions</b>	
Cleanness value	Deduction
86 or over	None
81–85	\$2.20/ton
77–80	\$4.40/ton
75–76	\$6.60/ton

If test results for polymer asphaltic emulsion aggregate grading and cleanness value test results do not comply with the specifications, all deductions are made. A test for polymer asphaltic emulsion represents the smaller of 55 tons or 1 day's production. A test for the screenings grading or cleanness value represents the smaller of 300 tons or 1 day's production.

The payment deduction for noncompliant polymer asphaltic emulsion is based on the total pay factor value determined from the table titled, "Polymer Asphaltic Emulsion Pay Factor Deduction." You must remove polymer asphaltic emulsion seal coat with a pay factor value greater than 20. You may request seal coat with noncompliant polymer asphaltic emulsion to remain in place with a pay deduction for the total pay factor value shown in the following table:

**Polymer Asphaltic Emulsion Pay Factor  
Deductions**

Total pay factor value	Deduction
0	none
1–2	\$5.00/ton
3–5	\$10.00/ton
6–9	\$15.00/ton
10–14	\$25.00/ton
15–20	\$50.00/ton

**37-2.05 ASPHALT BINDER SEAL COATS**

**37-2.05A General**

Reserved

**37-2.05B Asphalt Rubber Binder Seal Coats**

**37-2.05B(1) General**

**37-2.05B(1)(a) Summary**

Section 37-2.05B includes specifications for applying asphalt rubber binder seal coat. Asphalt rubber seal coat includes applying heated asphalt rubber binder, followed by heated screenings precoated with asphalt binder, followed by a flush coat.

**37-2.05B(1)(b) Definitions**

**crumb rubber modifier:** Ground or granulated high natural crumb rubber or scrap tire crumb rubber.

**descending viscosity reading:** Subsequent viscosity reading at least 5 percent lower than the previous viscosity reading.

**high natural crumb rubber:** Material containing 40 to 48 percent natural rubber.

**scrap tire crumb rubber:** Any combination of:

1. Automobile tires
2. Truck tires
3. Tire buffing

**37-2.05B(1)(c) Submittals**

For each delivery of asphalt rubber binder ingredients and asphalt rubber binder to the job site, submit a certificate of compliance and a copy of the specified test results.

Submit MSDS for each asphalt rubber binder ingredient and the asphalt rubber binder.

At least 15 days before use, submit:

1. Four 1-quart cans of mixed asphalt rubber binder
2. Samples of each asphalt rubber binder ingredient
3. Asphalt rubber binder formulation and data as follows:
  - 3.1. For asphalt binder and asphalt modifier submit:
    - 3.1.1. Source and grade of asphalt binder
    - 3.1.2. Source and type of asphalt modifier
    - 3.1.3. Percentage of asphalt modifier by weight of asphalt binder
    - 3.1.4. Percentage of combined asphalt binder and asphalt modifier by weight of asphalt rubber binder
    - 3.1.5. Test results for the specified quality characteristics
  - 3.2. For crumb rubber modifier submit:
    - 3.2.1. Each source and type of scrap tire crumb rubber and high natural rubber

- 3.2.2. Percentage of scrap tire crumb rubber and high natural rubber by total weight of asphalt rubber binder
- 3.2.3. Test results for the specified quality characteristics
- 3.3. For asphalt rubber binder submit:
  - 3.3.1. Test results for the specified quality characteristics
  - 3.3.2. Minimum reaction time and temperature

At least 5 business days before use, submit the permit issued by the local air quality agency for asphalt rubber binder:

- 1. Field blending equipment
- 2. Application equipment

If an air quality permit is not required by the local air quality agency for producing asphalt rubber binder or spray applying asphalt rubber binder, submit verification from the local air quality agency that an air quality permit is not required for this Contract.

Submit a certified volume or weight slip for each delivery of asphalt rubber binder ingredients and asphalt rubber binder.

Submit a certificate of compliance and accuracy verification of test results for viscometers.

When determined by the Engineer, submit notification 15 minutes before each viscosity test or submit a schedule of testing times.

Submit the log of asphalt rubber binder viscosity test results each day of asphalt rubber seal coat work.

#### **37-2.05B(1)(d) Quality Control and Assurance**

Equipment used in producing asphalt rubber binder must be permitted for use by the local air quality agency. Equipment used in spreading asphalt rubber binder must be permitted for use by the local air quality agency.

Each asphalt rubber binder ingredient must be sampled and tested for compliance with the specifications by the manufacturer.

Test and submit results at least once per project or the following, whichever frequency is greater:

- 1. For crumb rubber modifier except for grading, at least once per 250 tons. Samples of scrap tire crumb rubber and high natural crumb rubber must be sampled and tested separately. Test each delivery of crumb rubber modifier for grading.
- 2. For asphalt binder, test and submit at least once per 200 tons of asphalt binder production.
- 3. For asphalt modifier, test and submit at least once per 25 tons of asphalt modifier production.

Scrap tire crumb rubber and high natural crumb rubber must be delivered to the asphalt rubber production site in separate bags.

Take viscosity readings of asphalt rubber binder under ASTM D7741 during asphalt rubber binder production. Start taking viscosity readings of samples taken from the reaction vessel at least 45 minutes after adding crumb rubber modifier and continue taking viscosity readings every 30 minutes until 2 consecutive descending viscosity readings have been obtained and the final viscosity meets the specification requirement. After meeting the 2 descending viscosity readings requirement, continue to take viscosity readings hourly and within 15 minutes before use. Log the test results, including time of testing and temperature of the asphalt rubber binder.

#### **37-2.05B(2) Material**

##### **37-2.05B(2)(a) General**

Reserved



**37-2.05B(2)(b) Asphalt Binder**

Asphalt binder must comply with the specifications for asphalt binder. Do not modify asphalt binder with polymer.

**37-2.05B(2)(c) Asphalt Modifier**

Asphalt modifier must be a resinous, high flash point, and aromatic hydrocarbon. Asphalt modifier must have the values for the quality characteristics shown in the following table:

<b>Asphalt Modifier for Asphalt Rubber Binder</b>		
Quality characteristic	Test method	Value
Viscosity, m <sup>2</sup> /s (x 10 <sup>-6</sup> ) at 100 °C	ASTM D 445	X ± 3 <sup>a</sup>
Flash point, CL.O.C., °C	ASTM D 92	207 min
Molecular analysis		
Asphaltenes, percent by mass	ASTM D 2007	0.1 max
Aromatics, percent by mass	ASTM D 2007	55 min

<sup>a</sup> "X" denotes the proposed asphalt modifier viscosity from 19 to 36. A change in "X" requires a new asphalt rubber binder submittal.

**37-2.05B(2)(d) Crumb Rubber Modifier**

Crumb rubber modifier must be ground or granulated at ambient temperature.

Scrap tire crumb rubber and high natural crumb rubber must be delivered to the asphalt rubber binder production site in separate bags.

Steel and fiber must be separated. If steel and fiber are cryogenically separated, it must occur before grinding and granulating. Cryogenically-produced crumb rubber modifier particles must be large enough to be ground or granulated.

Wire must not be more than 0.01 percent by weight of crumb rubber modifier. Crumb rubber modifier must be free of contaminants except fabric, which must not exceed 0.05 percent by weight of crumb rubber modifier. Method for determining the percent weight of wire and fabric is available under Laboratory Procedure 10 at the following METS Web site:

<http://www.dot.ca.gov/hq/esc/Translab/ofpm/fpmlab.htm>

The length of an individual crumb rubber modifier particle must not exceed 3/16 inch.

Crumb rubber modifier must be dry, free-flowing particles that do not stick together. A maximum of 3 percent calcium carbonate or talc by weight of crumb rubber modifier may be added. Crumb rubber modifier must not cause foaming when combined with the asphalt binder and asphalt modifier.

Specific gravity of crumb rubber modifier must be from 1.1 to 1.2 determined under California Test 208.

When tested under ASTM D 297, crumb rubber modifier must comply with the requirements shown in the following table:

### Crumb Rubber Modifier

Quality characteristic	Scrap tire crumb rubber (percent)		High natural rubber (percent)	
	Min	Max	Min	Max
Acetone extract	6.0	16.0	4.0	16.0
Rubber hydrocarbon	42.0	65.0	50.0	--
Natural rubber content	22.0	39.0	40.0	48.0
Carbon black content	28.0	38.0	--	--
Ash content	--	8.0	--	--

Scrap tire crumb rubber must have the gradation shown in the following table:

### Scrap Tire Crumb Rubber Gradation

Percentage passing

Sieve size	Gradation limit	Operating range	Contract compliance
No. 8	100	100	100
No. 10	98–100	95–100	90–100
No. 16	45–75	35–85	32–88
No. 30	2–20	2–25	1–30
No. 50	0–6	0–10	0–15
No. 100	0–2	0–5	0–10
No. 200	0	0–2	0–5

High natural crumb rubber must have the gradation shown in the following table:

### High Natural Crumb Rubber Gradation

Percentage passing

Sieve size	Gradation limit	Operating range	Contract compliance
No. 10	100	100	100
No. 16	95–100	92–100	85–100
No. 30	35–85	25–95	20–98
No. 50	10–30	6–35	2–40
No. 100	0–4	0–7	0–10
No. 200	0–1	0–3	0–5

Test the crumb rubber modifier gradation under ASTM C 136 except

1. Split or quarter  $100 \pm 5$  g from the crumb rubber modifier sample and dry to a constant mass at a temperature from 57 to 63 degrees C and record the dry sample mass. Place the crumb rubber modifier sample and 5 g of talc in a 1/2-liter jar. Seal the jar, then shake the jar by hand for at least 1 minute to mix the crumb rubber modifier and the talc. Continue shaking or open the jar and stir until the particle agglomerates and clumps are broken and the talc is uniformly mixed.
2. Place 1 rubber ball on each sieve. Each ball must weigh  $8.5 \pm 0.5$  g, measure  $24.5 \pm 0.5$  mm in diameter, and have a Shore Durometer "A" hardness of  $50 \pm 5$  determined under ASTM D 2240. After sieving the combined material for  $10 \pm 1$  minutes, disassemble the sieves. Brush material adhering to the bottom of a sieve into the next finer sieve. Weigh and record the mass of the material retained on the 2.36-millimeter sieve and leave this material (do not discard) on the scale or balance. Fabric balls must remain on the scale or balance and be placed together on the side to prevent them from being

covered or disturbed when the material from finer sieves is placed onto the scale or balance. The material retained on the 2.00-milimeter sieve must be added to the scale or balance. Weigh and record that mass as the accumulative mass retained on the 2.00-milimeter sieve. Continue weighing and recording the accumulated masses retained on the remaining sieves until the accumulated mass retained in the pan has been determined. Before discarding the crumb rubber modifier sample, separately weigh and record the total mass of fabric balls in the sample.

3. Determine the mass of material passing the 75-micrometer sieve by subtracting the accumulated mass retained on the 75-micrometer sieve from the accumulated mass retained in the pan. If the material passing the 75-micrometer sieve has a mass of 5 g or less, cross out the recorded number for the accumulated mass retained in the pan and copy the number recorded for the accumulated mass retained on the 75-micrometer sieve and record that number, next to the crossed out number, as the accumulated mass retained in the pan. If the material passing the 75-micrometer sieve has a mass greater than 5 g, cross out the recorded number for the accumulated mass retained in the pan, subtract 5 g from that number and record the difference next to the crossed out number. The adjustment to the accumulated mass retained in the pan accounts for the 5 g of talc added to the sample. For calculation purposes, the adjusted total sample mass is the same as the adjusted accumulated mass retained in the pan. Determine the percent passing based on the adjusted total sample mass and record to the nearest 0.1 percent.

### **37-2.05B(2)(e) Asphalt Rubber Binder**

Asphalt rubber binder must be a combination of:

1. Asphalt binder
2. Asphalt modifier
3. Crumb rubber modifier

Asphalt rubber binder blending equipment must be authorized under the Department's material plant quality program.

The blending equipment must allow the determination of weight percentages of each asphalt rubber binder ingredient.

Asphalt rubber binder must be  $79 \pm 1$  percent by weight asphalt binder and  $21 \pm 1$  percent by weight of crumb rubber modifier. The minimum percentage of crumb rubber modifier must be 20.0 percent and lower values may not be rounded up.

Crumb rubber modifier must be  $76 \pm 2$  percent by weight scrap tire crumb rubber and  $24 \pm 2$  percent by weight high natural rubber.

Asphalt modifier and asphalt binder must be blended at the production site. Asphalt modifier must be from 2.5 to 6.0 percent by weight of the asphalt binder in the asphalt rubber binder. The asphalt rubber binder supplier determines the exact percentage.

If blended, the asphalt binder must be from 375 to 440 degrees F when asphalt modifier is added and the mixture must circulate for at least 20 minutes. Asphalt binder, asphalt modifier, and crumb rubber modifier may be proportioned and combined simultaneously.

The blend of asphalt binder and asphalt modifier must be combined with crumb rubber modifier at the asphalt rubber binder production site. The asphalt binder and asphalt modifier blend must be from 375 to 440 degrees F when crumb rubber modifier is added. Combined ingredients must be allowed to react at least 45 minutes at temperatures from 375 to 425 degrees F except the temperature must be at least 10 degrees F below the flash point of the asphalt rubber binder.

After reacting, the asphalt rubber binder must have the values for the quality characteristics shown in the following table:

### Asphalt Rubber Binder

Quality characteristic	Test method	Requirement	
		Min	Max
Cone penetration @ 25 °C, 1/10 mm	ASTM D 217	25	60
Resilience @ 25 °C, percent rebound	ASTM D 5329	18	50
Field softening point, °C	ASTM D 36	55	88
Viscosity @190 °C, Pa • s (x10 <sup>-3</sup> )	ASTM D 7741	1500	2500

Maintain asphalt rubber binder at a temperature from 375 to 415 degrees F.

Stop heating unused asphalt rubber binder 4 hours after the 45-minute reaction period. Reheating asphalt rubber binder that cools below 375 degrees F is a reheat cycle. Do not exceed 2 reheat cycles. If reheating, asphalt rubber binder must be from 375 to 415 degrees F before use.

During reheating, you may add scrap tire crumb rubber. Scrap tire crumb rubber must not exceed 10 percent by weight of the asphalt rubber binder. Allow added scrap tire crumb rubber to react for at least 45 minutes. Reheated asphalt rubber binder must comply with the specifications for asphalt rubber binder.

#### 37-2.05B(2)(f) Screenings

Before precoating with asphalt binder and when tested under California Test 202, screenings for asphalt rubber seal coat must have the gradation shown in the following table:

#### Asphalt Rubber Seal Coat Screenings Gradation

Sieve sizes	Percentage passing by weight		
	Coarse 1/2" max	Medium 1/2" max	Fine 3/8" max
3/4"	100	100	100
1/2"	75–90	85–90	95–100
3/8"	0–20	0–30	70–85
No. 4	0–2	0–5	0–15
No. 8	--	--	0–5
No. 200	0–1	0–1	0–1

Screenings must have the values for the properties shown in the following table:

#### Seal Coat Screenings

Properties	Test method	Value
Cleanness value, min	California Test 227	80
Durability, min	California Test 229	52

#### 37-2.05B(3) Construction

##### 37-2.05B(3)(a) General

Reserved

##### 37-2.05B(3)(b) Equipment

Self-propelled distributor truck for applying asphalt rubber binder must have the following features:

1. Heating unit
2. Internal mixing unit

3. Pumps that spray asphalt rubber binder within 0.05 gal/sq yd of the specified rate
4. Fully circulating spray bar that applies asphalt rubber binder uniformly
5. Tachometer
6. Pressure gages
7. Volume measuring devices
8. Thermometer
9. Observation platform on the rear of the truck for an observer on the platform to see the nozzles and unplug them if needed

### **37-2.05B(3)(c) Precoating Screenings**

For asphalt rubber seal coat, do not recombine fine materials collected in dust control systems except cyclone collectors or knock-out boxes with any other aggregate used in the production of screenings.

For asphalt rubber seal coat, screenings must be preheated from 260 to 325 degrees F. Coat with any of the asphalts specified in the table titled "Performance Graded Asphalt Binder" in section 92. Coat at a central mixing plant. The asphalt must be from 0.5 to 1.0 percent by weight of dry screenings. The Engineer determines the exact rate.

Plant must be authorized under the Department's material plant quality program.

Do not stockpile preheated or precoated screenings.

### **37-2.05B(3)(d) Asphalt Rubber Binder Application**

Apply asphalt rubber binder immediately after the reaction period. At the time of application, the temperature of asphalt rubber binder must be from 385 to 415 degrees F.

Apply asphalt rubber binder at a rate from 0.55 to 0.65 gal/sq yd. The Engineer determines the exact rate.

Apply asphalt rubber binder when the atmospheric temperature is from 60 to 105 degrees F and the pavement surface temperature is at least 55 degrees F.

Do not apply asphalt rubber binder unless there are sufficient screenings available to cover the asphalt rubber binder within 2 minutes. Intersections, turn lanes, gore points, and irregular areas must be covered within 15 minutes.

Do not apply asphalt rubber binder when weather or road conditions are unsuitable, including high wind or when the pavement is damp. In windy conditions you may adjust the distributor bar height and distribution speed, and use shielding equipment, if the Engineer authorizes your request.

### **37-2.05B(3)(e) Screenings Application**

During transit, cover precoated screenings for asphalt rubber seal coat with tarpaulins if the ambient air temperature is below 65 degrees F or the haul time exceeds 30 minutes.

At the time of application, screenings for asphalt rubber seal coat must be from 225 to 325 degrees F.

Spread screenings at a rate from 28 to 40 lb/sq yd. The exact rate is determined by the Engineer. Spread to within 10 percent of the determined rate.

### **37-2.05B(3)(f) Rolling and Sweeping**

Perform initial rolling within 90 seconds of spreading screenings. Do not spread screenings more than 200 feet ahead of the initial rolling.

For final rolling, you may request use of a steel-wheeled roller weighing from 8 to 10 tons, static mode only.

Perform a final sweeping before Contract acceptance. The final sweeping must not dislodge screenings.

Dispose of swept screenings at least 150 feet from any waterway.

### 37-2.05B(4) Payment

Screenings for asphalt rubber seal coat are measured by coated weight after they are preheated and precoated with asphalt binder. The weight of screenings must be the coated weight.

If recorded batch weights are printed automatically, the bid item for screenings for asphalt-rubber seal coat are measured using the printed batch weights, provided:

1. Total aggregate weight for screenings per batch is printed
2. Total asphalt binder weight per batch is printed
3. Each truckload's zero tolerance weight is printed before weighing the first batch and after weighing the last batch
4. Time, date, mix number, load number and truck identification are correlated with a load slip
5. A copy of the recorded batch weights is certified by a licensed weighmaster and submitted to the Engineer

Screenings for asphalt rubber seal coat is paid for as precoated screenings.

Asphalt-rubber binder is measured under the specifications for asphalts.

If test results for gradation tests do not comply with the specifications, deductions are taken.

Each gradation test for scrap tire crumb rubber represents 10,000 lbs or the amount used in that day's production, whichever is less.

Each gradation test for high natural rubber represents 3,400 lbs or the amount used in that day's production, whichever is less.

For each gradation test, the following pay deductions will be taken from the asphalt rubber bid item:

Gradation Test		
Material	Test result <sup>a</sup>	Deduction
Scrap tire crumb rubber	Operating range < TR < Contract compliance	\$250
Scrap tire crumb rubber	TR > Contract compliance	\$1,100
High natural crumb rubber	Operating range < TR < Contract compliance	\$250
High natural crumb rubber	TR > Contract compliance	\$600

<sup>a</sup>Test Result = TR

### 37-2.05C Modified Asphalt Binder Seal Coat

Reserved

03-21-14

### 37-2.06 STRESS ABSORBING MEMBRANE INTERLAYER

#### 37-2.06A General

Section 37-2.06 applies where a stress absorbing membrane interlayer (SAMI) is shown.

Comply with section 37-2.05B except a flush coat is not required.

#### 37-2.06B Materials

For SAMI, screenings must comply with the 3/8-inch maximum gradation.

#### 37-2.06C Construction

For SAMI, section 37-2.01C(7) does not apply.

Final rolling and sweeping are not required for SAMI.

Not Used

**Add to section 37-3.01D(1):**

01-18-13

Micro-surfacing spreader operators must attend the prepaving conference.

AA

10-17-14

**Replace the headings and paragraphs in section 39 with:**

04-18-14

### 39-1.01 GENERAL

Section 39-1 includes general specifications for producing and placing hot mix asphalt.

HMA includes one or more of the following types:

- If a warm mix asphalt technology is specified, the warm mix asphalt technology to be used must be authorized. For Department-authorized warm mix asphalt technologies, go to the METS website.

**binder replacement:** Binder from RAP expressed as a percent of the total binder in the mix.

**coarse aggregate:** Aggregate retained on a no. 4 sieve.

**fine aggregate:** Aggregate passing the no. 4 sieve.

**leveling course:** Thin layer of HMA used to correct minor variations in the longitudinal and transverse profile of the pavement before placement of other pavement layers.

**lower course:** Layer of HMA below 0.2 feet from finished grade exclusive of OGFC.

**miscellaneous areas:** Areas outside the traveled way such as:

1. Median areas not including inside shoulders
2. Island areas
3. Sidewalks
4. Gutters
5. Ditches
6. Overside drains
7. Aprons at ends of drainage structures

**processed RAP:** RAP that has been fractionated.

**supplemental fine aggregate:** Aggregate passing the no. 30 sieve, including hydrated lime, portland cement, and fines from dust collectors.

**surface course:** Upper 0.2 feet of HMA exclusive of OGFC.

**top layer:** Final riding surface.

### **39-1.01C Submittals**

#### **39-1.01C(1) General**

Reserved

#### **39-1.01C(2) Job Mix Formula**

##### **39-1.01C(2)(a) General**

Except for the HMA to be used in miscellaneous areas and dikes, submit your proposed JMF for each type of HMA to be used. The JMF must be submitted on the Contractor Job Mix Formula Proposal form along with:

1. Mix design documentation on Contractor Hot Mix Asphalt Design Data form dated within 12 months of submittal
2. JMF verification on a Caltrans Hot Mix Asphalt Verification form, if applicable
3. JMF renewal on a Caltrans Job Mix Formula Renewal form, if applicable
4. MSDS for:
  - 4.1. Asphalt binder
  - 4.2. Supplemental fine aggregate except fines from dust collectors
  - 4.3. Antistrip additives

The Contractor Hot Mix Asphalt Design Data form must show documentation on aggregate quality.

If you cannot submit a Department-verified JMF on a Caltrans Hot Mix Asphalt Verification form dated within 12 months before HMA production, the Engineer verifies the JMF.

Submit a new JMF if you change any of the following:

1. Target asphalt binder percentage greater than  $\pm 0.2$  percent
2. Asphalt binder supplier
3. Combined aggregate gradation
4. Aggregate sources
5. Liquid antistrip producer or dosage
6. Average binder content in a new fractionated RAP stockpile by more than  $\pm 2.0$  percent from the average RAP binder content reported on page 4 of your Contractor Hot Mix Asphalt Design Data form
7. Average maximum specific gravity in a new fractionated RAP stockpile by more than  $\pm 0.060$  from the average maximum specific gravity value reported on page 4 of your Contractor Hot Mix Asphalt Design Data form
8. Any material in the JMF

Allow the Engineer 5 business days from a complete JMF submittal for document review of the aggregate qualities, mix design, and JMF. The Engineer notifies you if the proposed JMF submittal is accepted.

If your JMF fails verification testing, submit an adjusted JMF based on your testing. An adjusted JMF requires a new Contractor Job Mix Formula Proposal form and Contractor Hot Mix Asphalt Design Data form and verification of a plant-produced sample.

You may submit an adjusted aggregate gradation TV on a Contractor Job Mix Formula Proposal form before verification testing. Aggregate gradation TV must be within the TV limits specified.

##### **39-1.01C(2)(b) Job Mix Formula Renewal**

You may request a JMF renewal by submitting:

1. Proposed JMF on a Contractor Job Mix Formula Proposal form



2. Previously verified JMF documented on a Caltrans Hot Mix Asphalt Verification form dated within 12 months
3. Mix design documentation on a Contractor Hot Mix Asphalt Design Data form used for the previously verified JMF

#### **39-1.01C(2)(c) Job Mix Formula Modification**

For an authorized JMF, submit a modified JMF if you change any of the following:

1. Asphalt binder supplier
2. Liquid antistrip producer
3. Liquid antistrip dosage

You may change any of the above items only once during the Contract.

Submit your modified JMF request a minimum of 15 days before production. Each modified JMF submittal must consist of:

1. Proposed modified JMF on Contractor Job Mix Formula Proposal form, marked *Modified*.
2. Mix design records on Contractor Hot Mix Asphalt Design Data form for the authorized JMF to be modified.
3. JMF verification on Hot Mix Asphalt Verification form for the authorized JMF to be modified.
4. Test results for the modified JMF in compliance with the mix design specifications. Perform tests at the mix design OBC as shown on the Contractor Asphalt Mix Design Data form.

With an accepted modified JMF submittal, the Engineer verifies each modified JMF within 10 days of receiving all verification samples.

#### **39-1.01C(3) Quality Control Plan**

With your proposed JMF submittal, submit a QC plan for HMA.

The QC plan must describe the organization and procedures for:

1. Controlling HMA quality characteristics
2. Taking samples, including sampling locations
3. Establishing, implementing, and maintaining QC
4. Determining when corrective actions are needed
5. Implementing corrective actions
6. Methods and materials for backfilling core locations

The QC plan must address the elements affecting HMA quality including:

1. Aggregate
2. Asphalt binder
3. Additives
4. Production
5. Paving

The QC plan must include aggregate QC sampling and testing during lime treatment.

The Engineer reviews the QC plan within 5 business days from the submittal. Do not start HMA production until the Engineer authorizes the plan.

If QC procedures, personnel, tester qualifications, sample testing locations, or lab accreditation status change, submit a QC plan supplement at least 3 business days before implementing the proposed change. Do not implement the change without authorization.

#### **39-1.01C(4) Test Results**

For mix design, JMF verification, production start-up, and each 10,000 tons, submit AASHTO T 283 and AASHTO T 324 (Modified) test results to the Engineer and electronically to:

Submit all QC test results, except AASHTO T 283 and AASHTO T 324 (Modified), within 3 business days of a request. Submit AASHTO T 283 QC tests within 15 days of sampling.

For tests performed under AASHTO T 324 (Modified), submit test data and 1 tested sample set within 5 business days of sampling.

If coarse and fine durability index tests are required, submit test results within 2 business days of testing.

If tapered notched wedge is used, submit test result values within 24 hours of testing.

**39-1.01C(5) Reserved**

**39-1.01C(6) Liquid Antistrip Treatment**

If liquid antistrip treatment is used, submit the following with your proposed JMF submittal:

1. One 1-pint sample
2. Infrared analysis including copy of absorption spectra
3. Certified copy of test results
4. Certificate of compliance for each liquid antistrip shipment. On each certificate of compliance, include:
  - 4.1. Your signature and printed name
  - 4.2. Shipment number
  - 4.3. Material type
  - 4.4. Material specific gravity
  - 4.5. Refinery
  - 4.6. Consignee
  - 4.7. Destination
  - 4.8. Quantity
  - 4.9. Contact or purchase order number
  - 4.10. Shipment date
6. Proposed proportions for liquid antistrip

For each delivery of liquid antistrip to the HMA production plant, submit a 1-pint sample to METS. Submit shipping documents. Label each liquid antistrip sampling container with:

1. Liquid antistrip type
2. Application rate
3. Sample date
4. Contract number

At the end of each day's production shift, submit production data in electronic and printed media. Present data on electronic media in tab delimited format. Use line feed carriage return with 1 separate record per line for each production data set. Allow sufficient fields for the specified data. Include data titles at least once per report. For each HMA mixing plant type, submit the following information in the order specified:

1. For batch plant mixing:
  - 1.1. Production date
  - 1.2. Time of batch completion
  - 1.3. Mix size and type
  - 1.4. Each ingredient's weight
  - 1.5. Asphalt binder content as a percentage of the total weight of mix
  - 1.6. Liquid antistrip content as a percentage of the asphalt binder weight
2. For continuous mixing plant:
  - 2.1. Production date
  - 2.2. Data capture time
  - 2.3. Mix size and type
  - 2.4. Flow rate of wet aggregate collected directly from the aggregate weigh belt
  - 2.5. Aggregate moisture content as percentage of the dry aggregate weight

- 2.6. Flow rate of asphalt binder collected from the asphalt binder meter
- 2.7. Flow rate of liquid antistrip collected from the liquid antistrip meter
- 2.8. Asphalt binder content as percentage of the total weight of mix calculated from:
  - 2.8.1. Aggregate weigh belt output
  - 2.8.2. Aggregate moisture input
  - 2.8.3. Asphalt binder meter output
- 2.9. Liquid antistrip content as percentage of the asphalt binder weight calculated from:
  - 2.9.1. Asphalt binder meter output
  - 2.9.2. Liquid antistrip meter output

### **39-1.01C(7) Lime Treatment**

If aggregate lime treatment is used, submit the following with your proposed JMF submittal and each time you produce lime-treated aggregate:

1. Exact lime proportions for fine and coarse virgin aggregate
2. If marination is required, the averaged aggregate quality test results within 24 hours of sampling
3. For dry lime aggregate treatment, a treatment data log from the dry lime and aggregate proportioning device in the following order:
  - 3.1. Treatment date
  - 3.2. Time of day the data is captured
  - 3.3. Aggregate size being treated
  - 3.4. HMA type and mix aggregate size
  - 3.5. Wet aggregate flow rate collected directly from the aggregate weigh belt
  - 3.6. Aggregate moisture content, expressed as a percent of the dry aggregate weight
  - 3.7. Flow rate of dry aggregate calculated from the flow rate of wet aggregate
  - 3.8. Dry lime flow rate
  - 3.9. Lime ratio from the authorized JMF for each aggregate size being treated
  - 3.10. Lime ratio from the authorized JMF for the combined aggregate
  - 3.11. Actual lime ratio calculated from the aggregate weigh belt output, the aggregate moisture input, and the dry lime meter output, expressed as a percent of the dry aggregate weight
  - 3.12. Calculated difference between the authorized lime ratio and the actual lime ratio
4. For lime slurry aggregate treatment, a treatment data log from the slurry proportioning device in the following order:
  - 4.1. Treatment date
  - 4.2. Time of day the data is captured
  - 4.3. Aggregate size being treated
  - 4.4. Wet aggregate flow rate collected directly from the aggregate weigh belt
  - 4.5. Moisture content of the aggregate just before treatment, expressed as a percent of the dry aggregate weight
  - 4.6. Dry aggregate flow rate calculated from the wet aggregate flow rate
  - 4.7. Lime slurry flow rate measured by the slurry meter
  - 4.8. Dry lime flow rate calculated from the slurry meter output
  - 4.9. Authorized lime ratio for each aggregate size being treated
  - 4.10. Actual lime ratio calculated from the aggregate weigh belt and the slurry meter output, expressed as a percent of the dry aggregate weight
  - 4.11. Calculated difference between the authorized lime ratio and the actual lime ratio
  - 4.12. Dry lime and water proportions at the slurry treatment time

Each day during lime treatment, submit the treatment data log on electronic media in tab delimited format on a removable CD-ROM storage disk. Each continuous treatment data set must be a separate record using a line feed carriage return to present the specified data on 1 line. The reported data must include data titles at least once per report.

### **39-1.01C(8) Warm Mix Asphalt Technology**

If a warm mix asphalt technology is used, submit the following with your proposed JMF submittal:

1. MSDS for warm mix asphalt technology

2. For warm mix asphalt water injection foam technology:
  - 2.1. Name of technology
  - 2.2. Proposed foaming water content
  - 2.3. Proposed HMA production temperature range
  - 2.4. Certification from binder supplier stating no antifoaming agent is used.

3. For warm mix asphalt additive technology:
  - 3.1. Name of technology
  - 3.2. Percent admixture by weight of binder and percent admixture by total weight of HMA as recommended by the manufacturer
  - 3.3. Methodology for inclusion of admixture in laboratory-produced HMA
  - 3.4. Proposed HMA production temperature range

Collect and hold data for the duration of the contract and submit the electronic media, daily and upon request. The snapshot of production data must include the following:

1. Date of production
2. Production location
3. Time of day the data is captured
4. HMA mix type being produced and target binder rate
5. HMA additive type, brand, and target rate
6. Temperature of the binder and HMA mixture
7. For a continuous mixing plant, the rate of flow of the dry aggregate calculated from the wet aggregate flow rate as determined by the conveyor scale
8. For a continuous mixing plant, the rate of flow of the asphalt meter
9. For a continuous mixing plant, the rate of flow of HMA additive meter
10. For batch plant mixing, actual batch weights of all ingredients
11. Dry aggregate to binder ratio calculated from metered ingredient output
12. Dry aggregate to HMA additive ratio calculated from metered output

At the end of each day's production shift, submit electronic and printed media from the HMA plant process controller. Present data on electronic media in comma-separated values or tab-separated values format. The captured data for the ingredients represented by production snapshot must have allowances for sufficient fields to satisfy the amount of data required by these specifications and include data titles at least once per report.

### **39-1.01C(9) Samples**

For the samples taken for JMF verification, submit 3 parts to the Engineer and use 1 part for your testing.

At production start-up and within 1000 tons of the halfway point of production of HMA, submit samples split from your HMA production sample for AASHTO T 283 and AASHTO T 324 (Modified) tests to the Engineer.

For production samples taken, submit 3 parts to the Engineer and use 1 part for your testing.

### **39-1.01C(10)–39-1.01C(11) Reserved**

### **39-1.01C(12) Data Cores**

Section 39-1.01C(12) applies if a bid item for data core is shown on the Bid Item List.

Submit a summary of data cores taken and a photograph of each data core to the Engineer and to:

Coring@dot.ca.gov

For each data core, the summary must include:

1. Project identification number
2. Date cored
3. Core identification number

4. Type of materials recovered
5. Type and approximate thickness of unstabilized material not recovered
6. Total core thickness
7. Thickness of each individual material to within:
  - 7.1. For recovered material, 1/2 inch
  - 7.2. For unstabilized material, 1.0 inch
8. Location including:
  - 8.1. County
  - 8.2. Route
  - 8.3. Post mile
  - 8.4. Lane number
  - 8.5. Lane direction
  - 8.6. Station

Each data core digital photograph must include a ruler laid next to the data core. Each photograph must include:

1. Core
2. Project identification number
3. Core identification number
4. Date cored
5. County
6. Route
7. Post mile
8. Lane number
9. Lane direction

#### **39-1.01C(13) Pavement Smoothness**

##### **39-1.01C(13)(a) General**

Reserved

##### **39-1.01C(13)(b) Straightedge Measurements**

Within 2 business days of performing straightedge measurements, submit areas requiring smoothness correction. Identify locations of smoothness correction by:

1. Location Number
2. District-County-Route
3. Beginning station or post mile to the nearest 0.01 mile
4. For correction areas within a lane:
  - 4.1. Lane direction as NB, SB, EB, or WB
  - 4.2. Lane number from left to right in direction of travel
  - 4.3. Wheel path as "L" for left, "R" for right, or "B" for both
5. For correction areas not within a lane:
  - 5.1. Identify pavement area (i.e., shoulder, weight station, turnout)
  - 5.2. Direction and distance from centerline as "L" for left or "R" for right
6. Estimated size of correction area

##### **39-1.01C(13)(c) Inertial Profiler Certification**

At least 5 business days before the start of initial profiling or changing profiler or operator, submit:

1. Inertial profiler certification issued by the Department.
2. Operator certification for the inertial profiler issued by the Department.
3. List of manufacturer's recommended test procedures for the inertial profiler calibration and verification.

Within 2 business days after cross-correlation testing, submit ProVAL profiler certification analysis report for cross-correlation test results performed on test section to the Engineer and to the electronic mailbox address:

smoothness@dot.ca.gov

### **39-1.01C(13)(d) Inertial Profiler Data**

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Within 2 business days after each day of inertial profiling, submit profile information to the Engineer and to the electronic mailbox address:

smoothness@dot.ca.gov

The profile information must include:

1. Raw profile data for each lane.
2. ProVAL ride quality analysis report for the International Roughness Index of left and right wheel paths of each lane. Submit this report in pdf file format.
3. ProVAL ride quality analysis report for the Mean Roughness Index of each lane. Submit this report in pdf file format.
4. ProVAL smoothness assurance analysis report for the International Roughness Index of left wheel path. Submit this report in pdf file format.
5. ProVAL smoothness assurance analysis report for the International Roughness Index of right wheel path. Submit this report in pdf file format.
6. ProVAL smoothness assurance analysis report for grinding locations of left wheel path. Submit this report in pdf file format.
7. ProVAL smoothness assurance analysis report for grinding locations of right wheel path. Submit this report in pdf file format.
8. GPS data file for each lane in GPS eXchange. Submit data file in GPS eXchange file format.
9. Manufacturer's recommended inertial profiler calibration and verification test results.
10. Inertial profiler calibration and verification test results including bounce, block, and distance measurement instrument.

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Submit the raw profile data in unfiltered electronic pavement profile file (PPF) format. Name the PPF file using the following naming convention:

YYYYMMDD\_TTCCRRR\_D\_L\_W\_B\_E\_X\_PT.PPF

where:

YYYY = year

MM = Month, leading zero

DD = Day of month, leading zero

TT = District, leading zero

CCC = County, 2 or 3 letter abbreviation as shown in section 1-1.08

RRR = Route number, no leading zeros

D = Traffic direction as NB, SB, WB, or EB

L = Lane number from left to right in direction of travel

W = Wheel path as "L" for left, "R" for right, or "B" for both

B = Beginning station to the nearest foot (i.e., 10+20) or beginning post mile to the nearest hundredth (i.e., 25.06) no leading zero

E = Ending station to the nearest foot (i.e., 14+20) or ending post mile to the nearest hundredth (i.e., 28.06) no leading zero

X = Profile description as "EXIST" for existing pavement, "INTER" for after prepaving smoothness correction, "PAVE" for after paving, and "CORR" for after final surface pavement correction

PT = HMA pavement type

**39-1.01C(13)(e) Reserved**

**39-1.01C(14)–39-1.01C(15) Reserved**

**39-1.01D Quality Control and Assurance**

**39-1.01D(1) General**

When testing under AASHTO T 324 (Modified), test under AASHTO T 324 with the following parameters:

1. Target air voids must equal  $7 \pm 1$  percent
2. Specimen height must be  $60 \pm 1$  mm
3. Number of test specimens must be 4 (2 test sets)
4. Do not average test sets
5. Test specimen must be a 150 mm gyratory compacted specimen
6. Test temperature must be set at:
  - 6.1.  $113 \pm 2$  degrees F for PG 58
  - 6.2.  $122 \pm 2$  degrees F for PG 64
  - 6.3.  $131 \pm 2$  degrees F for PG 70 and above
7. Measurements for impression must be taken at every 100 passes along the total length of sample
8. Inflection point defined as the number of wheel passes at the intersection of the creep slope and the stripping slope at maximum rut depth
9. Testing shut off must be set at 25,000 passes
10. Submersion time for samples must not exceed 4 hours

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Take samples under California Test 125.

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HMA samples may be heated a maximum of 2 times for up to 4 hours each.

**39-1.01D(2) Job Mix Formula Verification**

The Engineer verifies the JMF from samples taken from HMA produced by the plant to be used. The production set point at the plant must be within  $\pm 0.2$  from the asphalt binder percentage target value shown in your Contractor Job Mix Formula Proposal form. Notify the Engineer at least 2 business days before sampling materials. Samples may be taken from a different project including a non-Department project if you make arrangements for the Engineer to be present during sampling.

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In the Engineer's presence and from the same production run, take samples of:

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1. Aggregate. Coarse, fine, and supplemental fine aggregate must be taken from the combined cold feed belt, or hot bins. If lime treatment is required, samples must be taken from individual stockpiles before lime treatment. Samples must be at least 120 lb for each coarse aggregate, 80 lb for each fine aggregate, and 10 lb for each type of supplemental fines. For hot bin samples, the Department combines these aggregate samples to comply with the TV submitted on a Contractor Job Mix Formula Proposal form.
2. Asphalt binder. Take 2 samples minimum. Each sample must be in a 1-quart cylindrical-shaped can with an open top and friction lid. If the asphalt binder is modified or rubberized, the asphalt binder must be sampled with the components blended in the proportions to be used.
3. RAP. RAP samples must be at least 50 lb from each fractionated stockpile used or 100 lb from the belt.
4. Plant-produced HMA. The HMA samples must be at least 250 lb.

For aggregate, RAP, and HMA, split the samples into at least 4 parts and label their containers. Three parts are for the Department's verification testing and 1 part is for your testing.

After acceptance of the JMF submittal, the Engineer verifies each proposed JMF within 20 days of receiving all verification samples.

For JMF verification, the Engineer tests the following for compliance with the specifications:

1. Aggregate quality
2. Aggregate gradation
3. Voids in mineral aggregate on laboratory-produced HMA must comply with the mix design specifications for voids in mineral aggregate
4. HMA quality characteristics for Department acceptance

To verify the HMA for air voids, voids in mineral aggregate, and dust proportion, the Engineer uses an average of 3 briquettes. The Engineer tests plant-produced material.

If the Engineer verifies the JMF, the Engineer furnishes you a Hot Mix Asphalt Verification form.

If the Engineer's test results on plant-produced samples do not show compliance with the specifications, the Engineer notifies you. Adjust your JMF based on your testing unless the Engineer authorizes reverification without adjustments. JMF adjustments may include a change in:

1. Asphalt binder content target value up to  $\pm 0.2$  percent from the OBC value submitted on Contractor Hot Mix Asphalt Design Data form
2. Aggregate gradation target values within the target value limits specified in the aggregate gradation table

You may adjust the JMF only once due to a failed verification test.

For each HMA type and aggregate size specified, the Engineer verifies up to 2 proposed JMF submittals including a JMF adjusted after verification failure. If you submit more than 2 JMFs for each type of HMA and aggregate size, the Engineer deducts \$3,000 from payments for each verification exceeding this limit. This deduction does not apply to verifications initiated by the Engineer or if a JMF expires while HMA production is stopped longer than 30 days.

A verified JMF is valid for 12 months.

#### **39-1.01D(3) Job Mix Formula Authorization**

You may start HMA production if:

1. The Engineer's review of the JMF shows compliance with the specifications
2. The Department has verified the JMF within 12 months before HMA production
3. The Engineer authorizes the verified JMF

#### **39-1.01D(4) Job Mix Formula Renewal**

For a JMF renewal and upon request, in the Engineer's presence and from the same production run, take samples of:

1. Aggregate. Coarse, fine, and supplemental fine aggregate must be taken from combined cold-feed belt, or hot bins. If lime treatment is required, samples must be taken from individual stockpiles before lime treatment. Samples must be at least 120 lb for each coarse aggregate, 80 lb for each fine aggregate, and 10 lb for each type of supplemental fines. For hot bins, the Department combines these aggregate samples to comply with the TV submitted on a Contractor Job Mix Formula Proposal form.
2. Asphalt binder. Take 2 samples minimum. Each sample must be in a 1-quart cylindrical-shaped can with an open top and friction lid. If the asphalt binder is modified or rubberized, the asphalt binder must be sampled with the components blended in the proportions to be used.
3. RAP. RAP samples must be at least 50 lb from each fractionated stockpile.
4. Plant-produced HMA. The HMA samples must be at least 250 lb.

Notify the Engineer at least 2 business days before sampling materials. For aggregate, RAP, and HMA, split samples into at least 4 parts. Submit 3 parts to the Engineer and use 1 part for your testing.

Allow the Engineer 5 business days from a complete JMF reverification submittal for document review of the aggregate qualities, mix design, and JMF.



The most recent aggregate quality test results within the past 12 months may be used for verification of JMF renewal or upon request, the Engineer may perform aggregate quality tests for verification of JMF renewal.

The Engineer verifies the JMF for renewal under section 39-1.01D(2) except:

1. The Engineer keeps the samples until you provide test results for your part on a Contractor Job Mix Formula Renewal form.
2. The Department tests samples of materials obtained from the HMA production unit after you submit test results that comply with the mix design specifications.
3. After completion of the JMF verification renewal document review, the Engineer verifies each proposed JMF within 20 days of receiving the verification renewal samples and the complete Contractor Job Mix Formula Renewal form.
4. You may not adjust the JMF due to a failed verification.
5. For each HMA type and aggregate gradation specified, the Engineer verifies at no cost to you 1 proposed JMF renewal within a 12-month period.

If the Engineer verifies the JMF renewal, the Engineer furnishes you a Hot Mix Asphalt Verification form. The Hot Mix Asphalt Verification form is valid for 12 months.

#### **39-1.01D(5) Job Mix Formula Modification**

The Engineer verifies the modified JMF after the modified JMF HMA is placed on the project and verification samples are taken within the first 750 tons. The Engineer tests verification samples for compliance with:

1. Hamburg wheel track mix design specifications
2. Air void content
3. Voids in mineral aggregate on plant-produced HMA mix design specifications
4. Dust proportion mix design specifications

The Engineer may test for moisture susceptibility for compliance with the mix design specifications.

If the modified JMF is verified, the Engineer revises your Hot Mix Asphalt Verification form to include the new asphalt binder source, new liquid antistrip producer, or new liquid antistrip dosage. Your revised form will have the same expiration date as the original form.

If a modified JMF is not verified, stop production and any HMA placed using the modified JMF is rejected.

The Engineer deducts \$2,000 from payments for each JMF modification.

#### **39-1.01D(6) Certifications**

##### **39-1.01D(6)(a) General**

Laboratories testing aggregate and HMA qualities used to prepare the mix design and JMF must be qualified under AASHTO Materials Reference Laboratory program and the Department's Independent Assurance Program.

##### **39-1.01D(6)(b) Hot Mix Asphalt Plants**

Before production, the HMA plant must have a current qualification under the Department's Material Plant Quality Program.

##### **39-1.01D(6)(c) Inertial Profiler Certifications**

The inertial profiler equipment must display a current certification decal with expiration date.

The inertial profiler operator and device certifications must be not more than 12 months old.

The operator must be certified for each different model of inertial profiler device operated.

**39-1.01D(6)(d)–39-1.01D(6)(e) Reserved**

**39-1.01D(7) Prepaving Meeting**

Meet with the Engineer at a prepaving meeting at a mutually agreed time and place. Discuss the QC plan and the methods of performing HMA production and paving work.

The following personnel must attend the prepaving meeting:

1. Project manager
2. Superintendent
3. HMA plant manager
4. HMA paving foreman

If a warm mix asphalt technology is used, a technical representative for warm mix asphalt technology must attend the prepaving meeting.

**39-1.01D(8) Quality Control**

**39-1.01D(8)(a) General**

QC test results must comply with the specifications for Department acceptance.

Prepare 3 briquettes for air voids content and voids in mineral aggregate determination. Report the average of 3 tests.

Except for smoothness, if 2 consecutive QC test results or any 3 QC test results for 1 day's production do not comply with the materials specifications:

1. Stop HMA production
2. Notify the Engineer
3. Take corrective action
4. Demonstrate compliance with the specifications before resuming production and placement

For QC tests performed under AASHTO T 27, results are considered 1 QC test regardless of number of sieves out of compliance.

Do not resume production and placement until the Engineer authorizes your corrective action proposal.

**39-1.01D(8)(b) Reserved**

**39-1.01D(8)(c) Aggregate**

**39-1.01D(8)(c)(i) General**

Reserved

**39-1.01D(8)(c)(ii) Aggregate Lime Treatments**

If lime treatment is required, sample coarse and fine aggregate from individual stockpiles before lime treatment. Combine aggregate in the JMF proportions. Test the aggregate under the test methods and frequencies shown in the following table:

### **Aggregate Quality Control During Lime Treatment**

Quality characteristic	Test method	Minimum sampling and testing frequency
Sand equivalent <sup>a, b</sup>	AASHTO T 176	1 per 750 tons of untreated aggregate
Percent of crushed particles	AASHTO T 335	1 per 10,000 tons or 2 per project whichever is greater
Los Angeles Rattler	AASHTO T 96	
Fine aggregate angularity	AASHTO T 304 Method A	
Flat and elongated particles	ASTM D4791	

<sup>a</sup>Report test results as the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, and 8.4.3 do not apply.

For lime slurry aggregate treatment, determine the aggregate moisture content at least once every 2 hours of treatment. Calculate moisture content under AASHTO T 329 and report it as a percent of dry aggregate weight. Use the moisture content calculations as a set point for the proportioning process controller.

The device controlling lime and aggregate proportioning must produce a treatment data log. The log consists of a series of data sets captured at 10-minute intervals throughout daily treatment. The data must be a treatment activity register and not a summation. The material represented by a data set is the quantity produced 5 minutes before and 5 minutes after the capture time. For the duration of the Contract, collected data must be stored by the controller.

If 3 consecutive sets of recorded treatment data indicate a deviation of more than 0.2 percent above or below the lime ratio in the accepted JMF, stop treatment and take corrective action.

If a set of recorded treatment data indicates a deviation of more than 0.4 percent above or below the lime ratio in the accepted JMF, stop treatment and do not use the material represented by that set of data in HMA.

If 20 percent or more of the total daily treatment indicates a deviation of more than 0.2 percent above or below the lime ratio in the accepted JMF, stop treatment and do not use that day's treated aggregate in HMA.

The Engineer may order you to stop aggregate treatment activities for any of following:

1. You fail to submit treatment data log
2. You fail to submit aggregate QC data for marinated aggregate
3. You submit incomplete, untimely, or incorrectly formatted data
4. You do not take corrective actions
5. You take late or unsuccessful corrective actions
6. You do not stop treatment when proportioning tolerances are exceeded
7. You use malfunctioning or failed proportioning devices

If you stop treatment for noncompliance, notify the Engineer of any corrective actions taken and conduct a successful 20-minute test run before resuming treatment.

#### **39-1.01D(8)(d) Liquid Antistrip Treatment**

For continuous mixing or batch-plant mixing, sample asphalt binder before adding liquid antistrip. For continuous mixing, sample the combined asphalt binder and liquid antistrip after the static mixer.

#### **39-1.01D(8)(e) Production Start-up Evaluation**

You and the Engineer evaluate HMA production and placement at production start-up.

Within the first 750 tons produced on the 1st day of HMA production, in the Engineer's presence, and from the same production run, take samples of:

1. Aggregate
2. Asphalt binder
3. RAP
4. HMA

Sample aggregate from the combined cold-feed belt or hot bin. Take RAP samples from the RAP system.

For aggregate, RAP, and HMA, split the samples into at least 4 parts and label their containers. Submit 3 parts to the Engineer and keep 1 part.

You and the Engineer must test the samples and report test results, except for AASHTO T 324 (Modified) and AASHTO T 283 test results, within 5 business days of sampling. For AASHTO T 324 (Modified) and AASHTO T 283 test results, report test results within 15 days of sampling. If you proceed before receipt of the test results, the Engineer may consider the HMA placed to be represented by these test results.

Take one 4- or 6-inch diameter density core for each 250 tons or portion thereof of HMA placed. For each density core, the Engineer reports the bulk specific gravity determined under AASHTO T 275, Method A, in addition to the percent of theoretical maximum density.

#### **39-1.01D(8)(f) Hot Mix Asphalt Density**

During HMA placement determine HMA density using a nuclear gauge. On the 1st day of production, develop a correlation factor between cores and nuclear gauge under California Test 375.

Test for in-place density using cores and a nuclear gauge. Test at random locations you select and include the test results in your QC production tests reports.

#### **39-1.01D(8)(g) Tapered Notched Wedge**

Perform QC testing on the completed tapered notched wedge joint as follows:

1. Perform field compaction tests at the rate of 1 test for each 750-foot section along the joint. Select random locations for testing within each 750-foot section.
2. Perform field compaction tests at the centerline of the joint, 6 inches from the upper vertical notch, after the adjacent lane is placed and before opening the pavement to traffic.
3. Determine theoretical maximum density.
4. Determine percent compaction of the longitudinal joint as the ratio of the daily average of the field compaction values and the maximum density test results.

Determine percent compaction values each day the tapered notched wedge joint is completed. If the percent compaction of 1 day's production is less than 91 percent, that day's notched wedge joint is rejected. Discontinue placement of the tapered notched wedge and notify the Engineer of changes you will make to your construction process in order to comply with the specifications.

#### **39-1.01D(8)(h) Density Cores**

To determine density, take 4- or 6-inch diameter density cores at least once every 5 business days. Take 1 density core for every 250 tons of HMA from random locations the Engineer designates. Take density cores in the Engineer's presence and backfill and compact holes with authorized material. Before submitting a density core, mark it with the density core's location and place it in a protective container.

If a density core is damaged, replace it with a density core taken within 1 foot longitudinally from the original density core. Relocate any density core located within 1 foot of a rumble strip to 1 foot transversely away from the rumble strip.

For a tapered notched wedge joint, take 4- or 6-inch diameter density cores 6 inches from the upper vertical notch of the completed longitudinal joint for every 3,000 feet at locations designated by the Engineer. Take cores after the adjacent lane is placed and before opening the pavement to traffic. Cores

must be taken in the presence of the Engineer and backfill and compact holes with authorized material. Before submitting a density core, mark it with the core's location and place it in a protective container.

**39-1.01D(8)(i) Reserved**

**39-1.01D(8)(j) Pavement Smoothness**

**39-1.01D(8)(j)(i) General**

Test pavement smoothness using an inertial profiler except use a 12-foot straightedge for the HMA pavement at the following locations:

1. Traffic lanes less than 1,000 feet in length including ramps, turn lanes, and acceleration and deceleration lanes
2. HMA pavement within 3 feet from and parallel to the construction joint formed between curbs, gutters, or existing pavement
3. Areas within 15 feet of manholes
4. Shoulders
5. Weigh-in-motion areas
6. Miscellaneous areas such as medians, gore areas, turnouts, and maintenance pullouts

Where inertial profiler testing is required, pavement smoothness for each lane must be determined by the International Roughness Index for the left and right wheel paths in an individual lane and then averaging the results. The average of the International Roughness Index values from the left and right wheel paths for the same lane is the Mean Roughness Index of the lane. The wheel paths are a pair of lines 3 feet from and parallel to the edge of a lane. Left and right wheel paths are based on the direction of travel.

Where inertial profiler testing is required, identify areas of localized roughness. Areas of localized roughness must be identified using the FHWA's engineering software ProVAL smoothness assurance analysis by calculating continuous International Roughness Index values for each wheel path with a 25-foot interval using a 250 mm filter.

Collect profiling data under AASHTO R 56 and analyze data using 250 mm and International Roughness Index filters.

**39-1.01D(8)(j)(ii) Inertial Profiler Calibration and Verification Tests**

Operate the inertial profiler according to the manufacturer's instructions and AASHTO R 57 at 1-inch recording intervals.

Notify the Engineer 2 business days before performing inertial profiler calibration and verification testing.

Conduct the following inertial profiler calibration and verification tests in the Engineer's presence each day before performing inertial profiling:

1. Block test. Verify the height sensor accuracy under California Test 387.
2. Bounce test. Verify the combined height sensor and accelerometer accuracy under California Test 387.
3. Distance measurement instrument test. Calibrate the accuracy of the testing procedure under California Test 387.
4. Manufacturer's recommended tests.

Conduct cross-correlation inertial profiler verification test in the Engineer's presence before performing initial profiling. Verify cross-correlation inertial profiler verification test at least annually. Conduct 5 repeat runs of the inertial profiler on an authorized test section. The test section must be on an existing asphalt concrete pavement surface 0.1 mile long. Calculate a cross-correlation to determine the repeatability of your device under California Test 387 using ProVAL profiler certification analysis with a 3 feet maximum offset. The cross-correlation must be a minimum of 0.92.

For each 0.1 mile section, your International Roughness Index values must be within 10 percent of the Department's International Roughness Index values. The Engineer may order you to recalibrate your

inertial profiler equipment and reprofile. If your results are inaccurate due to operator error, the Engineer may disqualify your inertial profiler operator.

### **39-1.01D(8)(j)(iii) Smoothness Testing**

Notify the Engineer of start location by station and start time at least 2 business days before profiling.

Remove foreign objects on the pavement surface before profiling.

Mark the beginning and ending station on the pavement shoulder before profiling. Stationing must be the same when profiling more than one surface.

While collecting the profile data to determine the International Roughness Index values, record the following locations in the raw profile data:

1. Begin and end of all bridge approach slabs
2. Begin and end of all bridges
3. Begin and end of all culverts visible on the roadway surface
4. Begin and end of all at-grade intersections

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Determine the Mean Roughness Index for 0.1-mile fixed sections using the ProVAL ride quality analysis with a 250 mm filter. Profile the left and right wheel paths of each lane. Calculate the Mean Roughness Index of each lane. A partial section less than 0.1 mile that is the result of an interruption to continuous pavement surface must comply with the Mean Roughness Index specifications for a full section. Adjust the Mean Roughness Index for a partial section to reflect a full section based on the proportion of a section paved.

Determine the areas of localized roughness using a continuous International Roughness Index for each wheel path with a 25-foot interval using a 250 mm filter.

Pavement smoothness must comply with the specifications in section 39-1.01D(9)(c).

### **39-1.01D(9) Department Acceptance**

#### **39-1.01D(9)(a) General**

The Department tests treated aggregate for acceptance before lime treatment except for gradation.

The Engineer takes HMA samples for AASHTO T 283 and AASHTO T 324 (Modified) from one of the following:

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1. At the plant
2. At the truck
3. Windrow

The Engineer takes HMA samples for all other tests from one of the following:

1. At the plant
2. At the truck
3. Windrow
4. Mat behind the paver

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The Engineer's sampling and testing is independent of your QC sampling and testing.

If you request, the Engineer splits samples and provides you with a part.

No single test result may represent more than 750 tons or one day's production, whichever is less, excluding AASHTO T 283 and AASHTO T 324 (Modified).

Except for smoothness, if 2 consecutive Department acceptance test results or any 3 Department acceptance test results for 1 day's production do not comply with the specifications:

1. Stop HMA production
2. Take corrective action
3. Demonstrate compliance with the specifications before resuming production and placement

10-17-14

For Department acceptance tests performed under AASHTO T 27, results are considered 1 Department acceptance test regardless of the number of sieves out of compliance.

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The Engineer accepts HMA based on:

1. Authorized JMF
2. Authorized QC plan
3. Asphalt binder compliance
4. Asphalt emulsion compliance
5. Visual inspection
6. Pavement smoothness

### **39-1.01D(9)(b) In-Place Density**

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Except for HMA pavement placed using method compaction, the Engineer tests the density core you take from each 250 tons of HMA. The Engineer determines the percent of theoretical maximum density for each density core by determining the density core's density and dividing by the theoretical maximum density.

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Density cores must be taken from the final layer, cored to the specified total paved thickness.

If the percent of theoretical maximum density does not comply with the specifications, the Engineer may accept the HMA and take a payment deduction.

For acceptance of a completed tapered notched wedge joint, the Engineer determines density from cores based on:

1. Field compaction by measuring the bulk specific gravity of the cores under AASHTO T 275, Method A
2. Percent compaction as the ratio of the average of the bulk specific gravity of the core for each day's production to the maximum density test value

### **39-1.01D(9)(c) Pavement Smoothness**

For areas that require pavement smoothness determined using an inertial profiler, the pavement surface must:

1. Have no areas of localized roughness with an International Roughness Index greater than 160 in/mi
2. Comply with the Mean Roughness Index requirements shown in the following table for a 0.1 mile section:

**HMA<sup>a</sup> Pavement Smoothness Acceptance Criteria**

HMA thickness	Mean Roughness Index requirement
> 0.20 foot	60 in/mi or less
≤ 0.20 foot	75 in/mi or less

<sup>a</sup> Except OGFC

The final surface of HMA must comply with the Mean Roughness Index requirements before placing OGFC. Correct pavement to the Mean Roughness Index specifications. Localized roughness greater than 160 in/mi must be corrected regardless of the International Roughness Index values of a 0.1-mile section.

For areas that require pavement smoothness determined using a 12-foot straightedge, the HMA pavement surface must not vary from the lower edge of the straightedge by more than:

1. 0.01 foot when the straightedge is laid parallel with the centerline
2. 0.02 foot when the straightedge is laid perpendicular to the centerline and extends from edge to edge of a traffic lane
3. 0.02 foot when the straightedge is laid within 24 feet of a pavement conform

Pavement smoothness may be accepted based on your testing in the absence of the Department's testing.

#### **39-1.01D(9)(d) Dispute Resolution**

You and the Engineer must work together to avoid potential conflicts and to resolve disputes regarding test result discrepancies. Notify the Engineer within 5 business days of receiving a test result if you dispute the test result.

If you or the Engineer dispute each other's test results, submit QC test results and copies of paperwork including worksheets used to determine the disputed test results. An independent third party performs referee testing. Before the third party participates in a dispute resolution, it must be qualified under AASHTO Materials Reference Laboratory program, and the Department's Independent Assurance Program. The independent third party must have no prior direct involvement on this Contract. By mutual agreement, the independent third party is chosen from:

1. Department laboratory in a district or region not in the district or region the project is located
2. Transportation Laboratory
3. Laboratory not currently employed by you or your HMA producer

If split QC or acceptance samples are not available, the independent third party uses any available material representing the disputed HMA for evaluation.

If the independent third party determines the Department's test results are valid, the Engineer deducts the independent third party's testing costs from payments. If the independent third party determines your test results are valid, the Department pays the independent third party's testing costs.

#### **39-1.02 MATERIALS**

##### **39-1.02A General**

Reserved

##### **39-1.02B Mix Design**

###### **39-1.02B(1) General**

The HMA mix design must comply with AASHTO R 35 except:

1. Notes 3, 6, and 10 do not apply
2. AASHTO M 323 does not apply on combinations of aggregate gradation and asphalt binder contents to determine the OBC and HMA mixture qualities

The Contractor Hot Mix Asphalt Design Data form must show documentation on aggregate quality.

###### **39-1.02B(2) Hot Mix Asphalt Treatments**

If the test results for AASHTO T 283 or AASHTO T 324 (Modified) for untreated plant-produced HMA are less than the minimum requirements for HMA mix design, determine the plasticity index of the aggregate blend under California Test 204.

If the plasticity index is greater than 10, do not use that aggregate blend.



If the plasticity index is from 4 to 10, treat the aggregate with dry lime with marination or lime slurry with marination.

If the plasticity index is less than 4, treat the aggregate with dry lime or lime slurry with marination, or treat the HMA with liquid antistripping.

### **39-1.02B(3) Warm Mix Asphalt Technology**

For HMA with warm mix asphalt additive technology, produce HMA mix samples for your mix design using your methodology for inclusion of warm mix asphalt admixture in laboratory-produced HMA. For warm mix asphalt water injection foam technology, the use of foamed asphalt for mix design is not required.

### **39-1.02C Asphalt Binder**

Asphalt binder must comply with section 92.

For replace asphalt concrete surfacing or hot mix asphalt (leveling) the grade of asphalt binder for the HMA must be PG 64-10 or PG 64-16.

### **39-1.02D Aggregate**

#### **39-1.02D(1) General**

Aggregate must be clean and free from deleterious substances.

The aggregate for replace asphalt concrete surfacing and hot mix asphalt (leveling) must comply with the gradation specifications for Type A HMA in section 39-2.02.

#### **39-1.02D(2) Aggregate Gradations**

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Aggregate gradation must be determined before the addition of asphalt binder and must include supplemental fines. Test for aggregate gradation under AASHTO T 27. Do not wash the coarse aggregate. Use a mechanical sieve shaker. Aggregate shaking time must not exceed 10 minutes for each coarse and fine aggregate portion.

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Choose a target value within the target value limits shown in the tables titled "Aggregate Gradations."

Gradations are based on nominal maximum aggregate size.

#### **39-1.02D(3) Aggregate Lime Treatments**

##### **39-1.02D(3)(a) General**

If aggregate lime treatment is required, virgin aggregate must comply with the aggregate quality specifications.

Lime for treating aggregate must comply with section 24-2.02B.

Water for lime treatment of aggregate with lime slurry must comply with section 24-2.02C.

Notify the Engineer at least 24 hours before the start of aggregate treatment.

Do not treat RAP.

The lime ratio is the pounds of dry lime per 100 lb of dry virgin aggregate expressed as a percentage. Water content of slurry or untreated aggregate must not affect the lime ratio.

Coarse and fine aggregate fractions must have the lime ratio ranges shown in the following table:

Aggregate fractions	Lime ratio percent
Coarse	0.4–1.0
Fine	1.5–2.0
Combined	0.8–1.5

The lime ratio for fine and coarse aggregate must be within  $\pm 0.2$  percent of the lime ratio in the accepted JMF. The lime ratio must be within  $\pm 0.2$  percent of the authorized lime ratio when you combine the individual aggregate sizes in the JMF proportions. The lime ratio must be determined before the addition of RAP.

If marination is required, marinate treated aggregate in stockpiles from 24 hours to 60 days before using in HMA. Do not use aggregate marinated longer than 60 days.

Treated aggregate must not have lime balls or clods.

### **39-1.02D(3)(b) Dry Lime**

If marination is required:

1. Treat and marinate coarse and fine aggregates separately
2. Treat the aggregate and stockpile for marination only once
3. Treat the aggregate separate from HMA production

Proportion dry lime by weight with an automatic continuous proportioning system.

If you use a batch-type proportioning system for HMA production, control proportioning in compliance with the specifications for continuous mixing plants. Use a separate dry lime aggregate treatment system for HMA batch mixing including:

1. Pugmill mixer
2. Controller
3. Weigh belt for the lime
4. Weigh belt for the aggregate

If using a continuous mixing plant for HMA production without lime marinated aggregates, use a controller that measures the blended aggregate weight after any additional water is added to the mixture. The controller must determine the quantity of lime added to the aggregate from the aggregate weigh belt input in connection with the manually input total aggregate moisture, the manually input target lime content, and the lime proportioning system output. Use a continuous aggregate weigh belt and pugmill mixer for lime treatment in addition to the weigh belt for the aggregate proportioning to asphalt binder in the HMA plant. If you use a water meter for moisture control for lime treatment, the meter must comply with Department's Material Plant Quality Program manual.

At the time of mixing dry lime with aggregate, the aggregate moisture content must ensure complete lime coating. The aggregate moisture content must not cause aggregate to be lost between the point of weighing the combined aggregate continuous stream and the dryer. Add water to the aggregate for mixing and coating before dry lime addition. Immediately before mixing lime with aggregate, water must not visibly separate from the aggregate.

Mix aggregate, water, and dry lime with a continuous pugmill mixer with twin shafts. Immediately before mixing lime with aggregate, water must not visibly separate from the aggregate. Store dry lime in a uniform and free-flowing condition. Introduce dry lime to the pugmill in a continuous process. The introduction must occur after the aggregate cold feed and before the point of proportioning across a weigh belt and the aggregate dryer. Prevent loss of dry lime.

The pugmill must be equipped with paddles arranged to provide sufficient mixing action and mixture movement. The pugmill must produce a homogeneous mixture of uniformly coated aggregates at mixer discharge.

If the aggregate treatment process is stopped longer than 1 hour, clean the equipment of partially treated aggregate and lime.

Aggregate must be completely treated before introduction into the mixing drum.

### **39-1.02D(3)(c) Lime Slurry**

For lime slurry aggregate treatment, treat aggregate separate from HMA production. Stockpile and marinate the aggregate.

Proportion lime and water with a continuous or batch mixing system.

Add lime to the aggregate as slurry consisting of mixed dry lime and water at a ratio of 1 part lime to from 2 to 3 parts water by weight. The slurry must completely coat the aggregate.

Immediately before mixing lime slurry with the aggregate, water must not visibly separate from the aggregate.

Proportion lime slurry and aggregate by weight in a continuous process.

### **39-1.02E Liquid Antistrip Treatment**

Liquid antistrip must be from 0.25 to 1.0 percent by weight of asphalt binder. Do not use liquid antistrip as a substitute for asphalt binder.

Liquid antistrip total amine value must be 325 minimum when tested under ASTM D2074.

Use only 1 liquid antistrip type or brand at a time. Do not mix liquid antistrip types or brands.

Store and mix liquid antistrip under the manufacturer's instructions.

### **39-1.02F–39-1.02G Reserved**

### **39-1.02H Hot Mix Asphalt Production**

#### **39-1.02H(1) General**

Do not start HMA production before verification and authorization of JMF.

HMA plants must be Department-qualified. Before production, the HMA plant must have a current qualification under the Department's Materials Plant Quality Program.

For lime treated aggregate, the HMA plant must be equipped with a bag-house dust system. Material collected in the dust system must be returned to the mix.

Weighing and metering devices used for the production of HMA modified with additives must comply with the requirements of the Department's Material Plant Quality Program. If a loss-in-weight meter is used for dry HMA additive, the meter must have an automatic and integral material delivery control system for the refill cycle.

Calibrate the loss-in-weight meter by:

1. Including at least 1 complete system refill cycle during each calibration test run
2. Operating the device in a normal run mode for 10 minutes immediately before starting the calibration process
3. Isolating the scale system within the loss-in-weight feeder from surrounding vibration
4. Checking the scale system within the loss-in-weight feeder for accuracy before and after the calibration process and daily during mix production
5. Using a 15-minute or 250-pound-minimum test run size for a dry ingredient delivery rate of less than 1 ton per hour.
6. Complying with the limits of Table B, "Conveyor Scale Testing Extremes," in the Department's Material Plant Quality Program

Proportion aggregate by hot or cold-feed control.

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Aggregate temperature must not be more than 375 degrees F when mixed with the asphalt binder.

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Asphalt binder temperature must be from 275 to 375 degrees F when mixed with aggregate.

Mix HMA ingredients into a homogeneous mixture of coated aggregates.

HMA with or without RAP must not be more than 325 degrees F.

For HMA produced using warm mix asphalt technology, HMA must be at a temperature between 240 and 325 degrees F.

If method compaction is used, HMA must be produced at a temperature between 305 and 325 degrees F.

If you stop production for longer than 30 days, a production start-up evaluation is required.

### **39-1.02H(2) Liquid Antistrip**

If 3 consecutive sets of recorded production data show actual delivered liquid antistrip weight is more than  $\pm 1$  percent of the authorized mix design liquid antistrip weight, stop production and take corrective action.

If a set of recorded production data shows actual delivered liquid antistrip weight is more than  $\pm 2$  percent of the authorized mix design liquid antistrip weight, stop production. If the liquid antistrip weight exceeds 1.2 percent of the asphalt binder weight, do not use the HMA represented by that data.

The continuous mixing plant controller proportioning the HMA must produce a production data log. The log consists of a series of data sets captured at 10-minute intervals throughout daily production. The data must be a production activity register and not a summation. The material represented by the data is the quantity produced 5 minutes before and 5 minutes after the capture time. For the duration of the Contract, collected data must be stored by the plant controller or a computer's memory at the plant.

The Engineer orders proportioning activities stopped for any of the following:

1. You do not submit data
2. You submit incomplete, untimely, or incorrectly formatted data
3. You do not take corrective actions
4. You take late or unsuccessful corrective actions
5. You do not stop production when proportioning tolerances are exceeded
6. You use malfunctioning or failed proportioning devices

If you stop production, notify the Engineer of any corrective actions taken before resuming.

### **39-1.02H(3) Warm Mix Asphalt Technology**

Proportion all ingredients by weight. The HMA plant process controller must be the sole source of ingredient proportioning control and be fully interfaced with all scales and meters used in the production process. The addition of the HMA additive must be controlled by the plant process controller.

Liquid ingredient additive, including a normally dry ingredient made liquid, must be proportioned with a mass flow meter at continuous mixing plants. Use a mass flow meter or a container scale to proportion liquid additives at batch mixing plants.

Continuous mixing plants using HMA additives must comply with the following:

1. Dry ingredient additives for continuous production must be proportioned with a conveyor scale or a loss-in-weight meter.
2. HMA plant process controller and ingredient measuring systems must be capable of varying all ingredient feed rates proportionate with the dry aggregate delivery at all production rates and rate changes.
3. Liquid HMA additive must enter the production stream with the binder. Dry HMA additive must enter the production stream at or before the mixing area.

4. If dry HMA additives are used at continuous mixing HMA plants, baghouse dust systems must return all captured material to the mix.
5. HMA additive must be proportioned to within  $\pm 0.3$  percent of the target additive rate.

Batch mixing plants using HMA additives must comply with the following:

1. Metered HMA additive must be placed in an intermediate holding vessel before being added to the stream of asphalt binder as it enters the pugmill.
2. If a container scale is used, weigh additive before combining with asphalt binder. Keep the container scale separate from other ingredient proportioning. The container scale capacity must be no more than twice the volume of the maximum additive batch size. The container scale's graduations must be smaller than the proportioning tolerance or 0.001 times the container scale capacity.
3. Dry HMA additive proportioning devices must be separate from metering devices for the aggregates and asphalt binder. Proportion dry HMA additive directly into the pugmill or place in an intermediate holding vessel to be added to the pugmill at the appropriate time in the batch cycle. Dry ingredients for batch production must be proportioned with a hopper scale.
4. Zero tolerance for the HMA additive batch scale is  $\pm 0.5$  percent of the target additive weight. The indicated HMA additive batch scale weight may vary from the preselected weight setting by up to  $\pm 1.0$  percent of the target additive weight.

#### **39-1.02I Geosynthetic Pavement Interlayer**

Geosynthetic pavement interlayer must comply with the specifications for pavement fabric, paving mat, paving grid, paving geocomposite grid, or geocomposite strip membrane as shown.

The asphalt binder for geosynthetic pavement interlayer must be PG 64-10, PG 64-16, or PG 70-10.

#### **39-1.02J Tack Coat**

Tack coat must comply with the specifications for asphaltic emulsion or asphalt binder. Choose the type and grade.

#### **39-1.02K Miscellaneous Areas and Dikes**

For miscellaneous areas and dikes:

1. Choose either the 3/8-inch or 1/2-inch aggregate gradation for Type A HMA.
2. Minimum asphalt binder content must be 6.8 percent for 3/8-inch aggregate and 6.0 percent for 1/2-inch aggregate. If you request and the Engineer authorizes, you may reduce the minimum asphalt binder content.
3. Choose asphalt binder Grade PG 64-10, PG 64-16 or PG 70-10.

For HMA used in miscellaneous areas and dikes, sections 39-1.01C, 39-1.01D, 39-1.02B, 39-1.02D(3), and 39-1.02E–J do not apply.

### **39-1.03 CONSTRUCTION**

#### **39-1.03A General**

Do not place HMA on wet pavement or frozen surface.

You may deposit HMA in a windrow and load it in the paver if:

1. Paver is equipped with a hopper that automatically feeds the screed
2. Loading equipment can pick up the windrowed material and deposit it in the paver hopper without damaging base material
3. Activities for deposit, pickup, loading, and paving are continuous
4. HMA temperature in the windrow does not fall below 260 degrees F

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HMA placed in a windrow on the roadway surface must not extend more than 250 feet in front of the loading equipment or material transfer vehicle.

You may place HMA in 1 or more layers on areas less than 5 feet wide and outside the traveled way, including shoulders. You may use mechanical equipment other than a paver for these areas. The equipment must produce uniform smoothness and texture.

HMA handled, spread, or windrowed must not stain the finished surface of any improvement, including pavement.

Do not use petroleum products such as kerosene or diesel fuel to release HMA from trucks, spreaders, or compactors.

HMA must be free of:

1. Segregation
2. Coarse or fine aggregate pockets
3. Hardened lumps

Where density or data core samples are taken, backfill and compact holes with authorized material.

Complete finish rolling activities before the pavement surface temperature is:

1. Below 150 degrees F for HMA with unmodified binder
2. Below 140 degrees F for HMA with modified binder
3. Below 130 degrees F for HMA with warm mix asphalt technology

### **39-1.03B Spreading and Compacting Equipment**

#### **39-1.03B(1) General**

Paving equipment for spreading must be:

1. Self-propelled
2. Mechanical
3. Equipped with a screed or strike-off assembly that can distribute HMA the full width of a traffic lane
4. Equipped with a full-width compacting device
5. Equipped with automatic screed controls and sensing devices that control the thickness, longitudinal grade, and transverse screed slope

Install and maintain grade and slope references.

The screed must be heated and produce a uniform HMA surface texture without tearing, shoving, or gouging.

The paver must not leave marks such as ridges and indentations unless you can eliminate them by rolling.

Rollers must be equipped with a system that prevents HMA from sticking to the wheels. You may use a parting agent that does not damage the HMA or impede the bonding of layers.

In areas inaccessible to spreading and compacting equipment:

1. Spread the HMA by any means to obtain the specified lines, grades, and cross sections
2. Use a pneumatic tamper, plate compactor, or equivalent to achieve thorough compaction

#### **39-1.03B(2) Material Transfer Vehicle**

If a material transfer vehicle is specified, the material transfer vehicle must have sufficient capacity to prevent stopping the paver and must be capable of:

1. Either receiving HMA directly from trucks or using a windrow pickup head to load it from a windrow deposited on the roadway surface
2. Remixing the HMA with augers before transferring into the paver's receiving hopper or feed system
3. Transferring HMA directly into the paver's receiving hopper or feed system

### **39-1.03B(3) Method Compaction Equipment**

For method compaction, each paver spreading HMA must be followed by 3 rollers:

1. One vibratory roller specifically designed to compact HMA. The roller must be capable of at least 2,500 vibrations per minute and must be equipped with amplitude and frequency controls. The roller's gross static weight must be at least 7.5 tons.
2. One oscillating type pneumatic-tired roller at least 4 feet wide. Pneumatic tires must be of equal size, diameter, type, and ply. The tires must be inflated to 60 psi minimum and maintained so that the air pressure does not vary more than 5 psi.
3. One steel-tired, 2-axle tandem roller. The roller's gross static weight must be at least 7.5 tons.

Each roller must have a separate operator. Rollers must be self-propelled and reversible.

### **39-1.03B(4)–39-1.03B(6) Reserved**

### **39-1.03C Surface Preparation**

#### **39-1.03C(1) General**

Before placing HMA, remove loose paving particles, dirt, and other extraneous material by any means including flushing and sweeping.

#### **39-1.03C(2) Subgrade**

Prepare subgrade to receive HMA under the sections for the material involved. Subgrade must be free of loose and extraneous material.

#### **39-1.03C(3) Reserved**

#### **39-1.03C(4) Prepaving Inertial Profiler**

Section 39-1.03C(4) applies to existing asphalt concrete surfaces receiving an HMA overlay if a bid item for prepaving inertial profiler is shown in the Bid Item List.

Before starting paving activities, perform prepaving inertial profiler measurements. Prepaving inertial profiler includes taking profiles of the existing pavement, analyzing the data with ProVAL to determine existing pavement International Roughness Index, Mean Roughness Index, and areas of localized roughness.

If the Contract includes cold planing, perform prepaving inertial profiler measurements before cold planning.

If the Contract includes replace asphalt concrete surfacing, perform prepaving inertial profiler measurements after replacing the asphalt concrete surfacing.

#### **39-1.03C(5) Prepaving Grinding**

Section 39-1.03C(5) applies to all existing asphalt concrete surfaces that will not be cold planned or milled and that will receive an HMA overlay less than or equal to 0.20 foot exclusive of OGFC if a bid item for prepaving grinding day is shown in the Bid Item List.

After performing prepaving inertial profiling, correct areas of localized roughness greater than 180 in/mi.

Prepaving grinding day includes correcting areas of localized roughness, taking profiles of the corrected areas, and submitting profile data as specified in section 39-1.01C(13)(d).

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Notify the Engineer of those areas of localized roughness that cannot be corrected by prepaving grinding according to the ProVAL smoothness assurance analysis grinding report. The Engineer responds to your notification within 5 business days.

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For those areas of localized roughness that cannot be corrected by grinding, the Engineer may order you to either (1) not correct the areas of localized roughness or (2) correct areas of localized roughness by a different method and take profiles of the corrected areas with an inertial profiler. Corrective work

performed by a different method, including taking profiles of the corrected areas and associated traffic control, is change order work.

If ordered not to correct areas of localized roughness, the smoothness specifications do not apply to the final pavement surface placed in those areas.

Correct prepaving areas of localized roughness that you predict will cause the final surface of HMA pavement to be noncompliant with the smoothness specifications. After correcting prepaving areas of localized roughness, take profiles of the corrected area and submit profile data as specified in section 39-1.01C(13)(d).

Dispose of grinding residue.

Pave within 7 days of correcting areas.

The final pavement surface must comply with section 39-1.01D(9)(c).

If the Engineer determines more time is required for prepaving grinding than the Contract allows for and if prepaving grinding is a controlling activity, the Engineer makes a time adjustment.

### **39-1.03C(6) Tack Coat**

Apply tack coat:

1. To existing pavement including planed surfaces
2. Between HMA layers
3. To vertical surfaces of:
  - 3.1. Curbs
  - 3.2. Gutters
  - 3.3. Construction joints

Before placing HMA, apply tack coat in 1 application at the minimum residual rate shown in the following table for the condition of the underlying surface:

**Tack Coat Application Rates for HMA**

HMA over:	Minimum Residual Rates (gal/sq yd)		
	CSS1/CSS1h, SS1/SS1h and QS1h/CQS1h Asphaltic Emulsion	CRS1/CRS2, RS1/RS2 and QS1/CQS1 Asphaltic Emulsion	Asphalt Binder and PMRS2/PMCRS2 and PMRS2h/PMCRS2h Asphaltic Emulsion
New HMA (between layers)	0.02	0.03	0.02
PCC and existing AC surfacing	0.03	0.04	0.03
Planed pavement	0.05	0.06	0.04

Notify the Engineer if you dilute asphaltic emulsion with water. The weight ratio of added water to asphaltic emulsion must not exceed 1 to 1.

Measure added water either by weight or volume under section 9-1.02 or you may use water meters from water districts, cities, or counties. If you measure water by volume, apply a conversion factor to determine the correct weight.

With each dilution, submit:

1. Weight ratio of water to bituminous material in the original asphaltic emulsion
2. Weight of asphaltic emulsion before diluting
3. Weight of added water
4. Final dilution weight ratio of water to asphaltic emulsion



Apply to vertical surfaces with a residual tack coat rate that will thoroughly coat the vertical face without running off.

If you request and the Engineer authorizes, you may:

1. Change tack coat rates
2. Omit tack coat between layers of new HMA during the same work shift if:
  - 2.1. No dust, dirt, or extraneous material is present
  - 2.2. Surface is at least 140 degrees F

Immediately in advance of placing HMA, apply additional tack coat to damaged areas or where loose or extraneous material is removed.

Close areas receiving tack coat to traffic. Do not track tack coat onto pavement surfaces beyond the job site.

Asphalt binder tack coat temperature must be from 285 to 350 degrees F when applied.

### **39-1.03C(7) Geosynthetic Pavement Interlayer**

If specified, place geosynthetic pavement interlayer over a coat of asphalt binder. Place geosynthetic pavement interlayer in compliance with the manufacturer's instructions.

Before placing the geosynthetic pavement interlayer and asphalt binder:

1. Repair cracks 1/4 inch and wider, spalls, and holes in the pavement. Repairing cracks is change order work.
2. Clean the pavement of loose and extraneous material.

Immediately before placing the interlayer, apply  $0.25 \pm 0.03$  gallon of asphalt binder per square yard of interlayer or until the fabric is saturated. Apply asphalt binder the width of the geosynthetic pavement interlayer plus 3 inches on each side. At an interlayer overlap, apply asphalt binder on the lower interlayer the same overlap distance as the upper interlayer.

Align and place the interlayer with no overlapping wrinkles, except a wrinkle that overlaps may remain if it is less than 1/2 inch thick. If the overlapping wrinkle is more than 1/2 inch thick, cut the wrinkle out and overlap the interlayer no more than 2 inches.

The minimum HMA thickness over the interlayer must be 0.12 foot thick including conform tapers. Do not place the interlayer on a wet or frozen surface.

Overlap the interlayer borders between 2 to 4 inches. In the direction of paving, overlap the following roll with the preceding roll at any break.

You may use rolling equipment to correct distortions or wrinkles in the interlayer.

If asphalt binder tracked onto the interlayer or brought to the surface by construction equipment causes interlayer displacement, cover it with a small quantity of HMA.

Before placing HMA on the interlayer, do not expose the interlayer to:

1. Traffic except for crossings under traffic control and only after you place a small HMA quantity
2. Sharp turns from construction equipment
3. Damaging elements

Pave HMA on the interlayer during the same work shift.

### **39-1.03D Longitudinal Joints**

#### **39-1.03D(1) General**

Longitudinal joints in the top layer must match lane lines. Alternate the longitudinal joint offsets in the lower layers at least 0.5 foot from each side of the lane line. You may request other longitudinal joint placement patterns.

A vertical longitudinal joint of more than 0.15 foot is not allowed at any time between adjacent lanes open to traffic.

For HMA thickness of 0.15 foot or less, the distance between the ends of the adjacent surfaced lanes at the end of each day's work must not be greater than can be completed in the following day of normal paving.

For HMA thickness greater than 0.15 foot, you must place HMA on adjacent traveled way lanes or shoulder so that at the end of each work shift the distance between the ends of HMA layers on adjacent lanes is from 5 to 10 feet. Place additional HMA along the transverse edge at each lane's end and along the exposed longitudinal edges between adjacent lanes. Hand rake and compact the additional HMA to form temporary conforms. You may place kraft paper or other authorized release agent under the conform tapers to facilitate the taper removal when paving activities resume.

If placing HMA against the edge of existing pavement, sawcut or grind the pavement straight and vertical along the joint and remove extraneous material.

#### **39-1.03D(2) Tapered Notched Wedge**

For divided highways with an HMA lift thickness greater than 0.15 foot, you may construct a 1-foot wide tapered notched wedge joint as a longitudinal joint between adjacent lanes open to traffic. A vertical notch of 0.75 inch maximum must be placed at the top and bottom of the tapered wedge.

The tapered notched wedge must retain its shape while exposed to traffic. Pave the adjacent lane within 1 day.

Construct the tapered portion of the tapered notched wedge with an authorized strike-off device. The strike-off device must provide a uniform slope and must not restrict the main screed of the paver.

You may use a device attached to the screed to construct longitudinal joints that will form a tapered notched wedge in a single pass. The tapered notched wedge must be compacted to a minimum of 91 percent compaction.

#### **39-1.03E Edge Treatments**

Construct edge treatment on the HMA pavement as shown.

Where a safety edge is required, use the same type of HMA used for the adjacent lane or shoulder.

The edge of roadway where the safety edge treatment is to be placed must have a solid base, free of debris such as loose material, grass, weeds, or mud. Grade areas to receive the safety edge as required.

The safety edge treatment must be placed monolithic with the adjacent lane or shoulder and shaped and compacted with a device attached to the paver.

The device must be capable of shaping and compacting HMA to the required cross section as shown. Compaction must be by constraining the HMA to reduce the cross sectional area by 10 to 15 percent. The device must produce a uniform surface texture without tearing, shoving, or gouging and must not leave marks such as ridges and indentations. The device must be capable of transition to cross roads, driveways, and obstructions.

For safety edge treatment, the angle of the slope must not deviate by more than  $\pm 5$  degrees from the angle shown. Measure the angle from the plane of the adjacent finished pavement surface.

If paving is done in multiple lifts, the safety edge treatment must be placed with each lift.

Short sections of hand work are allowed to construct transitions for safety edge treatment.

#### **39-1.03F Widening Existing Pavement**

If widening existing pavement, construct new pavement structure to match the elevation of the existing pavement's edge before placing HMA over the existing pavement.

#### **39-1.03G Shoulders, Medians, and Other Road Connections**

Until the adjoining through lane's top layer has been paved, do not pave the top layer of:

1. Shoulders
2. Tapers
3. Transitions
4. Road connections
5. Driveways
6. Curve widenings
7. Chain control lanes
8. Turnouts
9. Turn pockets

If the number of lanes changes, pave each through lane's top layer before paving a tapering lane's top layer. Simultaneous to paving a through lane's top layer, you may pave an adjoining area's top layer, including shoulders. Do not operate spreading equipment on any area's top layer until completing final compaction.

If shoulders or median borders are shown, pave shoulders and median borders adjacent to the lane before opening a lane to traffic.

If shoulder conform tapers are shown, place conform tapers concurrently with the adjacent lane's paving.

If a driveway or a road connection is shown, place additional HMA along the pavement's edge to conform to road connections and driveways. Hand rake, if necessary, and compact the additional HMA to form a smooth conform taper.

#### **39-1.03H Leveling**

Section 39-1.03H applies if a bid item for hot mix asphalt (leveling) is shown on the Bid Item List.

Fill and level irregularities and ruts with HMA before spreading HMA over the base, existing surfaces, or bridge decks. You may use mechanical equipment other than a paver for these areas. The equipment must produce uniform smoothness and texture. HMA used to change an existing surface's cross slope or profile is not paid for as hot mix asphalt (leveling).

#### **39-1.03I Miscellaneous Areas and Dikes**

Prepare the area to receive HMA for miscellaneous areas and dikes, including excavation and backfill as needed.

Spread miscellaneous areas in 1 layer and compact to the specified lines and grades.

In median areas adjacent to slotted median drains, each layer of HMA must not exceed 0.20 foot maximum compacted thickness.

The finished surface must be:

1. Textured uniformly
2. Compacted firmly
3. Without depressions, humps, and irregularities

#### **39-1.03J Replace Asphalt Concrete Surfacing**

Where replace asphalt concrete surfacing is shown, remove existing asphalt concrete surfacing and replace with HMA. The Engineer determines the exact limits of asphalt concrete surfacing to be replaced.

Replace asphalt concrete in a lane before the lane is specified to be opened to traffic.

Before removing asphalt concrete, outline the replacement area and cut neat lines with a saw or grind to full depth of the existing asphalt concrete. Do not damage asphalt concrete and base remaining in place.

If the base is excavated beyond the specified plane, replace it with HMA. The Department does not pay for this HMA.

Do not use a material transfer vehicle if replace asphalt concrete surfacing is specified.

#### **39-1.03K–39-1.03N Reserved**

#### **39-1.03O Compaction**

##### **39-1.03O(1) General**

Rolling must leave the completed surface compacted and smooth without tearing, cracking, or shoving.

If a vibratory roller is used as a finish roller, turn the vibrator off.

Do not open new HMA pavement to traffic until the surface temperature is below 130 degrees F.

If the surface to be paved is both in sunlight and shade, pavement surface temperatures are taken in the shade.

##### **39-1.03O(2) Method Compaction**

Use method compaction for any of the following conditions:

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1. HMA pavement thickness shown is less than 0.15 foot
2. Replace asphalt concrete surfacing
3. Leveling courses
4. Areas the Engineer determines conventional compaction and compaction measurement methods are impeded

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HMA compaction coverage is the number of passes needed to cover the paving width. A pass is 1 roller's movement parallel to the paving in either direction. Overlapping passes are part of the coverage being made and are not a subsequent coverage. Do not start a coverage until completing the prior coverage.

Method compaction must consist of performing:

1. Breakdown compaction of each layer with 3 coverages using a vibratory roller. The speed of the vibratory roller in miles per hour must not exceed the vibrations per minute divided by 1,000. If the HMA layer thickness is less than 0.08 foot, turn the vibrator off.
2. Intermediate compaction of each layer of HMA with 3 coverages using a pneumatic-tired roller at a speed not to exceed 5 mph.
3. Finish compaction of HMA with 1 coverage using a steel-tired roller.

Start rolling at the lower edge and progress toward the highest part.

The Engineer may order fewer coverages if the layer thickness of HMA is less than 0.15 foot.

##### **39-1.03O(3)–39-1.03O(5) Reserved**

##### **39-1.03P Smoothness Corrections**

If the final surface of the pavement does not comply with the smoothness specifications, grind the pavement to within specified tolerances, remove and replace it, or place an overlay of HMA. Do not start corrective work until your method is authorized.

Do not use equipment with carbide cutting teeth to grind the pavement unless authorized.

Smoothness correction of the final pavement surface must leave at least 75 percent of the specified HMA thickness. If ordered, core the pavement at the locations determined by the Engineer. Coring, including

traffic control, is change order work. Remove and replace deficient pavement areas where the overlay thickness is less than 75 percent of the thickness specified as determined by the Engineer.

Corrected HMA pavement areas must be uniform rectangles with edges:

1. Parallel to the nearest HMA pavement edge or lane line
2. Perpendicular to the pavement centerline

On ground areas not to be overlaid with OGFC, apply fog seal coat under section 37-2.

Where corrections are made within areas requiring testing with inertial profiler, reprofile the entire lane length with the inertial profiler device.

Where corrections are made within areas requiring testing with a 12-foot straightedge, retest the corrected area with the straightedge.

### **39-1.03Q Data Cores**

Section 39-1.03Q applies if a bid item for data core is shown on the Bid Item List.

Take data cores of the completed HMA pavement, underlying base, and subbase material. Notify the Engineer 3 business days before coring.

Protect data cores and surrounding pavement from damage.

Take 4-inch or 6-inch diameter data cores:

1. At the beginning, end, and every 1/2 mile within the paving limits of each route on the project
2. After all paving is complete
3. From the center of the specified lane

On a 2-lane roadway, take data cores from either lane. On a 4-lane roadway, take data cores from each direction in the outermost lane. On a roadway with more than 4 lanes, take data cores from the median lane and the outermost lane in each direction.

Each core must include the stabilized materials encountered. You may choose not to recover unstabilized material but you must identify the material. Unstabilized material includes:

1. Granular material
2. Crumbled or cracked stabilized material
3. Sandy or clayey soil

After data core summary and photograph submittal, dispose of cores.

### **39-1.04 PAYMENT**

Geosynthetic pavement interlayer is measured by the square yard for the actual pavement area covered.

If tack coat, asphalt binder, and asphaltic emulsion are paid as separate bid items, their bid items are measured under section 92 or section 94.

The Department does not adjust the unit price for an increase or decrease in the tack coat quantity.

HMA of the type shown in the Bid Item List is measured based on the combined mixture weight. If recorded batch weights are printed automatically, the bid item for HMA is measured by using the printed batch weights, provided:

1. Total aggregate and supplemental fine aggregate weight per batch is printed. If supplemental fine aggregate is weighed cumulatively with the aggregate, the total aggregate batch weight must include the supplemental fine aggregate weight.
2. Total asphalt binder weight per batch is printed.
3. Each truckload's zero tolerance weight is printed before weighing the first batch and after weighing the last batch.

4. Time, date, mix number, load number and truck identification is correlated with a load slip.
5. Copy of the recorded batch weights is certified by a licensed weigh master and submitted.

Place hot mix asphalt dike of the type shown in the Bid Item List is measured along the completed length. Payment for the HMA used to construct the dike is not included in the payment for place hot mix asphalt dike.

Place hot mix asphalt (miscellaneous areas) is measured as the in-place compacted area. Payment for the HMA used for miscellaneous areas is not included in the payment for place hot mix asphalt (miscellaneous areas).

If replace asphalt concrete surfacing is shown, the bid item for replace asphalt concrete is measured based on the specified dimensions and any adjustments ordered.

The Department does not adjust the unit price for an increase or decrease in the prepaving grinding day quantity.

The Department reduces payment for noncompliance of HMA density based on the factors shown in the following table:

**Reduced Payment Factors for Percent of Maximum Theoretical Density**

HMA percent of maximum theoretical density	Reduced payment factor	HMA percent of maximum theoretical density	Reduced payment factor
91.0	0.0000	97.0	0.0000
90.9	0.0125	97.1	0.0125
90.8	0.0250	97.2	0.0250
90.7	0.0375	97.3	0.0375
90.6	0.0500	97.4	0.0500
90.5	0.0625	97.5	0.0625
90.4	0.0750	97.6	0.0750
90.3	0.0875	97.7	0.0875
90.2	0.1000	97.8	0.1000
90.1	0.1125	97.9	0.1125
90.0	0.1250	98.0	0.1250
89.9	0.1375	98.1	0.1375
89.8	0.1500	98.2	0.1500
89.7	0.1625	98.3	0.1625
89.6	0.1750	98.4	0.1750
89.5	0.1875	98.5	0.1875
89.4	0.2000	98.6	0.2000
89.3	0.2125	98.7	0.2125
89.2	0.2250	98.8	0.2250
89.1	0.2375	98.9	0.2375
89.0	0.2500	99.0	0.2500
< 89.0	Remove and replace	> 99.0	Remove and replace

## **39-2 TYPE A HOT MIX ASPHALT**

### **39-2.01 GENERAL**

#### **39-2.01A Summary**

Section 39-2 includes specifications for producing and placing Type A hot mix asphalt.

You may produce Type A HMA using an authorized warm mix asphalt technology.

### 39-2.01B Definitions

Reserved

### 39-2.01C Submittals

#### 39-2.01C(1) General

Reserved

#### 39-2.01C(2) Job Mix Formula

The JMF must be based on an HMA mix design determined as described in the Superpave Mix Design SP-2 Manual by the Asphalt Institute.

#### 39-2.01C(3) Reclaimed Asphalt Pavement

Submit QC test results for RAP gradation with the combined aggregate gradation within 2 business days of taking RAP samples during HMA production.

#### 39-2.01C(4)–39-2.01C(6) Reserved

### 39-2.01D Quality Control and Assurance

#### 39-2.01D(1) General

Reserved

#### 39-2.01D(2) Quality Control

##### 39-2.01D(2)(a) General

Reserved

##### 39-2.01D(2)(b) Aggregate

Test the quality characteristics of aggregate under the test methods and frequencies shown in the following table:

**Aggregate Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Gradation <sup>a</sup>	AASHTO T 27	1 per 750 tons and any remaining part
Sand equivalent <sup>b, c</sup>	AASHTO T 176	
Moisture content <sup>d</sup>	AASHTO T 329	
Crushed particles	AASHTO T 335	1 per 10,000 tons or 2 per project whichever is greater
Los Angeles rattler	AASHTO T 96	
Flat and elongated particles	ASTM D4791	
Fine aggregate angularity	AASHTO T 304 Method A	

<sup>a</sup>If RAP is used, test the combined aggregate gradation under California Test 384.

<sup>b</sup>Reported value must be the average of 3 tests from a single sample.

<sup>c</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

<sup>d</sup>Test at continuous mixing plants only. If RAP is used, test the RAP moisture content at continuous mixing plant and batch mixing plant.

For lime treated aggregate, test aggregate before treatment and test for gradation and moisture content during HMA production.

##### 39-2.01D(2)(c) Reclaimed Asphalt Pavement

10-17-14

Sample and test processed RAP at a minimum frequency of 1 sample per 1000 tons with a minimum of 6 samples per fractionated stockpile. If the fractionated stockpile has not been augmented, the 3 RAP samples taken and tested for mix design may be part of this minimum sample requirement. If a

fractionated RAP stockpile is augmented, sample and test processed RAP quality characteristics at a minimum frequency of 1 sample per 500 tons of augmented RAP.

04-18-14

The combined RAP sample when tested under AASHTO T 164 must be within  $\pm 2.0$  percent of the average asphalt binder content reported on page 4 of your Contractor Hot Mix Asphalt Design Data form. If new fractionated RAP stockpiles are required, the average binder content of the new fractionated RAP stockpile must be within  $\pm 2.0$  percent of the average binder reported on page 4 of your Contractor Hot Mix Asphalt Design Data form.

The combined RAP sample when tested under AASHTO T 209 must be within  $\pm 0.06$  of the average maximum specific gravity reported on page 4 of your Contractor Hot Mix Asphalt Design Data form.

During HMA production, sample RAP twice daily and perform QC testing for:

1. Aggregate gradation at least once a day under California Test 384
2. Moisture content at least twice a day

### 39-2.01D(2)(d) Hot Mix Asphalt Production

Test the quality characteristics of HMA under the test methods and frequencies shown in the following table:

**Hot Mix Asphalt Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Asphalt binder content	AASHTO T 308 Method A	1 per 750 tons and any remaining part
HMA moisture content	AASHTO T 329	1 per 2,500 tons but not less than 1 per paving day
Air voids content	AASHTO T 269	1 per 4,000 tons or 2 every 5 paving days, whichever is greater
Voids in mineral aggregate	SP-2 Asphalt Mixture Volumetrics	1 per 10,000 tons or 2 per project whichever is greater
Dust proportion	SP-2 Asphalt Mixture Volumetrics	
Density of core	California Test 375	2 per paving day
Nuclear gauge density	California Test 375	3 per 250 tons or 3 per paving day, whichever is greater
Hamburg wheel track	AASHTO T 324 (Modified)	1 per 10,000 tons or 1 per project, whichever is greater
Moisture susceptibility	AASHTO T 283	

### 39-2.01D(3)–39-2.01D(4) Reserved

### 39-2.01D(5) Department Acceptance

The Department accepts Type A HMA based on compliance with:

1. Aggregate quality requirements shown in the following table:



### Aggregate Quality

Quality characteristic	Test method	Requirement
Aggregate gradation <sup>a</sup>	AASHTO T 27	JMF ± Tolerance
Percent of crushed particles	AASHTO T 335	95 90  70
Coarse aggregate (min, %)		
One-fractured face		
Two-fractured faces		
Fine aggregate (min, %)	AASHTO T 335	70
(Passing No. 4 sieve and retained on No. 8 sieve.)		
One fractured face		
Los Angeles Rattler (max, %)	AASHTO T 96	12 40
Loss at 100 Rev.		
Loss at 500 Rev.		
Sand equivalent (min.) <sup>b, c</sup>	AASHTO T 176	47
Flat and elongated particles (max, % by weight at 5:1)	ASTM D4791	10
Fine aggregate angularity (min, %) <sup>d</sup>	AASHTO T 304 Method A	45

<sup>a</sup>The Engineer determines combined aggregate gradations containing RAP under California Test 384.

<sup>b</sup>Reported value must be the average of 3 tests from a single sample.

<sup>c</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

<sup>d</sup>The Engineer waives this specification if HMA contains 10 percent or less of nonmanufactured sand by weight of total aggregate. Manufactured sand is fine aggregate produced by crushing rock or gravel.

2. If RAP is used, RAP quality requirements shown in the following table:

### Reclaimed Asphalt Pavement Quality

Quality characteristic	Test method	Requirement
Binder content (% within the average value reported)	AASHTO T 164	±2.0
Specific gravity (within the average value reported)	AASHTO T 209	±0.06

3. In-place HMA quality requirements shown in the following table:

### Type A HMA Acceptance In Place

Quality characteristic	Test method	Requirement
Asphalt binder content (%)	AASHTO T 308 Method A	JMF -0.3, +0.5
HMA moisture content (max, %)	AASHTO T 329	1
Air voids content at N <sub>design</sub> (%) <sup>a, b</sup>	AASHTO T 269	4 ± 1.5
Voids in mineral aggregate on plant-produced HMA (min, %) <sup>a</sup> Gradation: No. 4 3/8-inch 1/2-inch 3/4-inch 1-inch with NMAS <sup>g</sup> = 1-inch with NMAS <sup>g</sup> = 3/4-inch	SP-2 Asphalt Mixture Volumetrics <sup>c</sup>	15.5–18.5 14.5–17.5 13.5–16.5 12.5–15.5  12.5–15.5 13.5–16.5
Dust proportion	SP-2 Asphalt Mixture Volumetrics	0.6–1.3
Density of core (% of max theoretical density) <sup>e, f</sup>	California Test 375	91–97
Hamburg wheel track (min number of passes at 0.5-inch rut depth) Binder grade: PG 58 PG 64 PG 70 PG 76 or higher	AASHTO T 324 (Modified)	10,000 15,000 20,000 25,000
Hamburg wheel track (min number of passes at inflection point) Binder grade: PG 58 PG 64 PG 70 PG 76 or higher	AASHTO T 324 (Modified)	10,000 10,000 12,500 15,000
Moisture susceptibility (min, psi, dry strength)	AASHTO T 283	100
Moisture susceptibility (min, psi, wet strength)	AASHTO T 283	70

<sup>a</sup>Prepare 3 briquettes. Report the average of 3 tests.

<sup>b</sup>The Engineer determines the bulk specific gravity of each lab-compacted briquette under AASHTO T 275, Method A, and theoretical maximum specific gravity under AASHTO T 209, Method A.

<sup>c</sup>Determine bulk specific gravity under AASHTO T 275, Method A.

<sup>d</sup>The Engineer determines the laboratory-prepared HMA value for mix design verification only.

<sup>e</sup>The Engineer determines percent of theoretical maximum density under California Test 375 except the Engineer uses:

1. AASHTO T 275 to determine in-place density of each density core
2. AASHTO T 209, Method A to determine theoretical maximum density instead of calculating test maximum density

<sup>f</sup>The Engineer determines theoretical maximum density under AASHTO T 209, Method A, at the frequency specified in California Test 375, Part 5. D.

<sup>g</sup>NMAS means nominal maximum aggregate size.

**39-2.02 MATERIALS**

**39-2.02A General**

Reserved

### 39-2.02B Mix Design

The mix design must comply with the requirements shown in the following table:

**Type A HMA Mix Design Requirements**

Quality characteristic	Test method	Requirement
Air voids content (%)	AASHTO T 269 <sup>a</sup>	$N_{\text{initial}} > 8.0$ $N_{\text{design}} = 4.0$ ( $N_{\text{design}} = 5.0$ for 1-inch aggregate) $N_{\text{max}} > 2.0$
Gyrations compaction (no. of gyrations)	AASHTO T 312	$N_{\text{initial}} = 8$ $N_{\text{design}} = 85.0$ $N_{\text{max}} = 130$
Voids in mineral aggregate (min, %) <sup>b</sup> Gradation: No. 4 3/8-inch 1/2-inch 3/4-inch 1-inch with NMAS <sup>e</sup> = 1-inch with NMAS <sup>e</sup> = 3/4-inch	SP-2 Asphalt Mixture Volumetrics	16.5–19.5 15.5–18.5 14.5–17.5 13.5–16.5  13.5–16.5 14.5–17.5
Dust proportion	SP-2 Asphalt Mixture Volumetrics	0.6–1.3
Hamburg wheel track (min number of passes at 0.5-inch rut depth) Binder grade: PG 58 PG 64 PG 70 PG 76 or higher	AASHTO T 324 (Modified) <sup>c</sup>	10,000 15,000 20,000 25,000
Hamburg wheel track (min number of passes at the inflection point) Binder grade: PG 58 PG 64 PG 70 PG 76 or higher	AASHTO T 324 (Modified) <sup>c</sup>	10,000 10,000 12,500 15,000
Moisture susceptibility, dry strength (min, psi)	AASHTO T 283 <sup>c</sup>	100
Moisture susceptibility, wet strength (min, psi)	AASHTO T 283 <sup>c, d</sup>	70

<sup>a</sup>Calculate the air voids content of each specimen using AASHTO T 275, Method A, to determine bulk specific gravity. Use AASHTO T 209, Method A, to determine theoretical maximum specific gravity. Use a digital manometer and pycnometer when performing AASHTO T 209.

<sup>b</sup>Measure bulk specific gravity using AASHTO T 275, Method A.

<sup>c</sup>Test plant produced HMA.

<sup>d</sup>Freeze thaw required.

<sup>e</sup>NMAS means nominal maximum aggregate size.

For HMA mixtures using RAP, the maximum binder replacement is 25.0 percent for surface course and 40.0 percent for lower courses.

For HMA with a binder replacement percent less than or equal to 25 percent of your specified OBC, you may request that the performance graded asphalt binder grade with upper and lower temperature classifications be reduced by 6 degrees C from the specified grade.

For HMA with a binder replacement greater than 25 percent of your specified OBC and less than or equal to 40 percent of OBC, you must use a performance graded asphalt binder grade with upper and lower temperature classifications reduced by 6 degrees C from the specified grade.

### 39-2.02C Asphalt Binder

Reserved

### 39-2.02D Aggregates

#### 39-2.02D(1) General

Before the addition of asphalt binder and lime treatment, the aggregate must comply with the requirements shown in the following table:

Aggregate Quality		
Quality characteristic	Test method	Requirement
Percent of crushed particles	AASHTO T 335	95
Coarse aggregate (min, %)		
One-fractured face		
Two-fractured faces		90
Fine aggregate (min, %)		70
(Passing No. 4 sieve and retained on No. 8 sieve.)		
One fractured face		
Los Angeles Rattler (max, %)	AASHTO T 96	12
Loss at 100 Rev.		40
Loss at 500 Rev.		
Sand equivalent (min) <sup>a, b</sup>	AASHTO T 176	47
Flat and elongated particles (max, % by weight at 5:1)	ASTM D4791	10
Fine aggregate angularity (min, %) <sup>c</sup>	AASHTO T 304 Method A	45

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a Sand Reader Indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

<sup>c</sup>The Engineer waives this specification if HMA contains 10 percent or less of nonmanufactured sand by weight of total aggregate, except if your JMF fails verification. Manufactured sand is fine aggregate produced by crushing rock or gravel.

#### 39-2.02D(2) Aggregate Gradations

The aggregate gradations for Type A HMA must comply with the requirements shown in the following table:

**Aggregate Gradation Requirements**

Type A HMA pavement thickness shown	Gradation
0.10 foot	3/8 inch
Greater than 0.10 to less than 0.20 foot	1/2 inch
0.20 foot to less than 0.25 foot	3/4 inch
0.25 foot or greater	3/4 inch or 1 inch

Aggregate gradation must be within the target value limits for the specified sieve size shown in the following tables:

**Aggregate Gradations  
(Percentage Passing)**

1-inch

Sieve size	Target value limit	Allowable tolerance
1"	100	--
3/4"	88–93	TV $\pm$ 5
1/2"	72–85	TV $\pm$ 6
3/8"	55–70	TV $\pm$ 6
No. 4	35–52	TV $\pm$ 7
No. 8	22–40	TV $\pm$ 5
No. 30	8–24	TV $\pm$ 4
No. 50	5–18	TV $\pm$ 4
No. 200	3–7	TV $\pm$ 2

3/4-inch

Sieve size	Target value limit	Allowable tolerance
1"	100	--
3/4"	90–98	TV $\pm$ 5
1/2"	70–90	TV $\pm$ 6
No. 4	42–58	TV $\pm$ 5
No. 8	29–43	TV $\pm$ 5
No. 30	10–23	TV $\pm$ 4
No. 200	2–7	TV $\pm$ 2

1/2-inch

Sieve sizes	Target value limit	Allowable tolerance
3/4"	100	--
1/2"	95–98	TV $\pm$ 5
3/8"	72–95	TV $\pm$ 5
No. 4	52–69	TV $\pm$ 5
No. 8	35–55	TV $\pm$ 5
No. 30	15–30	TV $\pm$ 4
No. 200	2–8	TV $\pm$ 2

3/8-inch

Sieve sizes	Target value limits	Allowable tolerance
1/2"	100	--
3/8"	95–98	TV $\pm$ 5
No. 4	55–75	TV $\pm$ 5
No. 8	30–50	TV $\pm$ 5
No. 30	15–35	TV $\pm$ 5
No. 200	2–9	TV $\pm$ 2

No. 4

Sieve sizes	Target value limits	Allowable tolerance
3/8"	100	--
No. 4	95–98	TV $\pm$ 5
No. 8	70–80	TV $\pm$ 6
No. 30	34–45	TV $\pm$ 5
No. 200	2–12	TV $\pm$ 4

### 39-2.02E Reclaimed Asphalt Pavement

You may substitute RAP for part of the virgin aggregate in a quantity up to a maximum of 25 percent of the aggregate blend.

Provide enough space for meeting all RAP handling requirements at your facility. Provide a clean, graded base, well drained area for stockpiles.

If RAP is from multiple sources, blend the RAP thoroughly and completely before fractionating.

For RAP substitution of 15 percent or less, fractionation is not required.

For RAP substitution greater than 15 percent, fractionate RAP stockpiles into 2 sizes, a coarse fraction RAP retained on 3/8-inch sieve, and a fine fraction RAP passing 3/8-inch sieve.

The RAP fractionation must comply with the requirements shown in the following table:

RAP Stockpile Fractionation Gradation Requirements		
Quality characteristic	Test method	Requirement
Coarse (% passing the 1-inch sieve)	California Test 202 <sup>a</sup>	100
Fine (% passing the 3/8-inch sieve)	California Test 202 <sup>a</sup>	98–100

<sup>a</sup>Maximum mechanical shaking time is 10 minutes

You may use the coarse fractionated stockpile, the fine fractionated stockpile, or a combination of the coarse and fine fractionated stockpiles.

Isolate the processed RAP stockpiles from other materials. Store processed RAP in conical or longitudinal stockpiles. Processed RAP must not be agglomerated or be allowed to congeal in large stockpiles.

### 39-2.02F Hot Mix Asphalt Production

10-17-14

If RAP is used, the asphalt plant must automatically adjust the virgin asphalt binder to account for RAP percentage and RAP binder.

During production, you may adjust hot or cold-feed proportion controls for virgin aggregate and RAP. RAP must be within  $\pm 3$  of RAP percentage shown in your Contractor Job Mix Formula Proposal form without exceeding 25 percent.

The aggregate temperature requirements do not apply to RAP.

### 39-2.03 CONSTRUCTION

Spread Type A HMA at the atmospheric and surface temperatures shown in the following table:

Compacted layer thickness, feet	Minimum Atmospheric and Surface Temperatures for Type A HMA			
	Atmospheric, °F		Surface, °F	
	Unmodified asphalt binder	Modified asphalt binder	Unmodified asphalt binder	Modified asphalt binder
< 0.15	55	50	60	55
≥ 0.15	45	45	50	50

For method compaction, the maximum compacted layer thickness must be 0.25 foot.

04-18-14

For Type A HMA placed under method compaction, if the asphalt binder is:

1. Unmodified, complete:



- 1.1. 1st coverage of breakdown compaction before the surface temperature drops below 250 degrees F
- 1.2. Breakdown and intermediate compaction before the surface temperature drops below 190 degrees F
- 1.3. Finish compaction before the surface temperature drops below 150 degrees F
2. Modified, complete:
  - 2.1. 1st coverage of breakdown compaction before the surface temperature drops below 240 degrees F
  - 2.2. Breakdown and intermediate compaction before the surface temperature drops below 180 degrees F
  - 2.3. Finish compaction before the surface temperature drops below 140 degrees F

If you request and the Engineer authorizes, you may cool Type A HMA with water when rolling activities are complete. Apply water under section 17.

#### **39-2.04 PAYMENT**

Not Used

### **39-3 RUBBERIZED HOT MIX ASPHALT–GAP GRADED**

#### **39-3.01 GENERAL**

##### **39-3.01A Summary**

Section 39-3 includes specifications for producing and placing rubberized hot mix asphalt–gap graded.

You may produce RHMA-G using a warm mix asphalt technology.

##### **39-3.01B Definitions**

Reserved

##### **39-3.01C Submittals**

##### **39-3.01C(1) General**

At least 5 business days before use, submit the permit issued by the local air district for asphalt rubber binder blending equipment. If an air quality permit is not required by the local air district for producing asphalt rubber binder, submit verification from the local air district that an air quality permit is not required.

10-17-14

At least 10 days before RHMA-G production, submit the name of an authorized laboratory to perform QC testing for asphalt rubber binder. The authorized laboratory must comply with the Caltrans Independent Assurance Program.

04-18-14

##### **39-3.01C(2) Job Mix Formula**

With your proposed JMF include MSDS for:

1. Base asphalt binder
2. CRM and asphalt modifier
3. Blended asphalt rubber binder components

The JMF must be based on an HMA mix design determined as described in the Superpave Mix Design SP-2 Manual by the Asphalt Institute.

##### **39-3.01C(3) Asphalt Rubber Binder**

Submit a proposal for asphalt rubber binder design and profile. In the design, include the asphalt binder, asphalt modifier, and CRM and their proportions.

If you change asphalt rubber binder supplier or any component material used in asphalt rubber binder or its percentage, submit a new JMF.

For the asphalt rubber binder used, submit:

1. Log of production daily.
2. Certificate of compliance with test results for CRM and asphalt modifier with each truckload delivered to the HMA plant. The certificate of compliance for asphalt modifier must represent no more than 5,000 lb.
3. Certified weight slips for the CRM and asphalt modifier furnished.
4. QC test results on viscosity within 2 business days after sampling.
5. QC test results on cone penetration, resilience, and softening point within 3 business days after sampling.

10-17-14

Submit a certificate of compliance for the CRM and asphalt modifier. With the certificate of compliance, submit test results for CRM and asphalt modifier with each truckload delivered to the HMA plant.

04-18-14

### **39-3.01D Quality Control and Assurance**

#### **39-3.01D(1) General**

Reserved

#### **39-3.01D(2) Job Mix Formula Verification**

If you request, the Engineer verifies RHMA-G quality requirements within 7 days of receiving all verification samples and after the JMF document submittal has been accepted.

#### **39-3.01D(3) Quality Control**

##### **39-3.01D(3)(a) General**

Reserved

##### **39-3.01D(3)(b) Asphalt Rubber Binder**

##### **39-3.01D(3)(b)(i) General**

The asphalt rubber binder blending plant must be authorized under the Department's Material Plant Quality Program.

10-17-14

Take asphalt rubber binder samples from the feed line connecting the asphalt rubber binder tank to the HMA plant.

04-18-14

##### **39-3.01D(3)(b)(ii) Asphalt Modifier**

Test asphalt modifier under the test methods and frequencies shown in the following table:

**Asphalt Modifier for Asphalt Rubber Binder**

Quality characteristic	Test method	Frequency
Viscosity	ASTM D445	1 per shipment
Flash point	ASTM D92	
Molecular Analysis		
Asphaltenes	ASTM D2007	1 per shipment
Aromatics	ASTM D2007	

##### **39-3.01D(3)(b)(iii) Crumb Rubber Modifier**

Sample and test scrap tire CRM and high natural CRM separately. Test CRM under the test methods and frequencies shown in the following table:

### Crumb Rubber Modifier for Asphalt Rubber Binder

Quality characteristic	Test method	Frequency
Scrap tire CRM gradation	California Test 385	1 per 10,000 lb
High natural CRM gradation	California Test 385	1 per 3,400 lb
Wire in CRM	California Test 385	1 per 10,000 lb
Fabric in CRM	California Test 385	
CRM particle length	--	
CRM specific gravity	California Test 208	
Natural rubber content in high natural CRM	ASTM D297	1 per 3,400 lb

Sample and test scrap tire CRM and high natural CRM separately.

#### 39-3.01D(3)(b)(iv) Asphalt Rubber Binder

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Test asphalt rubber binder under the test methods and frequencies shown in the following table:

Quality characteristic	Test method	Frequency
Cone penetration	ASTM D217	1 per lot
Resilience	ASTM D5329	
Softening point	ASTM D36	
Viscosity	ASTM D7741	15 minutes before use per lot

Retain the sample from each lot. Test for cone penetration, resilience, and softening point for the first 3 lots and, if all 3 lots pass, the testing frequency may be reduced to once for every 3 lots.

If QC test results indicate that the asphalt rubber binder does not meet the specifications, take corrective action and notify the Engineer.

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#### 39-3.01D(3)(c) Aggregate

Test the quality characteristics of aggregate under the test methods and frequencies shown in the following table:

#### Aggregate Testing Frequencies

Quality characteristic	Test method	Minimum testing frequency
Gradation	AASHTO T 27	1 per 750 tons and any remaining part
Sand equivalent <sup>a, b</sup>	AASHTO T 176	
Moisture content <sup>c</sup>	AASHTO T 329	
Crushed particles	AASHTO T 335	1 per 10,000 tons or 2 per project, whichever is greater
Los Angeles rattler	AASHTO T 96	
Flat and elongated particles	ASTM D4791	
Fine aggregate angularity	AASHTO T 304 Method A	

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

<sup>c</sup>Test at continuous mixing plants only

For lime treated aggregate, test aggregate before treatment and test for gradation and moisture content during RHMA-G production.

**39-3.01D(3)(d) Hot Mix Asphalt Production**

Test the quality characteristics of RHMA-G under the test methods and frequencies shown in the following table:

**RHMA-G Mix Asphalt Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Asphalt binder content	AASHTO T 308 Method A	1 per 750 tons and any remaining part
HMA moisture content	AASHTO T 329	1 per 2,500 tons but not less than 1 per paving day
Air voids content	AASHTO T 269	1 per 4,000 tons or 2 every 5 paving days, whichever is greater
Voids in mineral aggregate	SP-2 Asphalt Mixture Volumetrics	1 per 10,000 tons or 2 per project whichever is greater
Dust proportion	SP-2 Asphalt Mixture Volumetrics	
Density of core	California Test 375	2 per paving day
Nuclear gauge density	California Test 375	3 per 250 tons or 3 per paving day, whichever is greater
Hamburg wheel track	AASHTO T 324 (Modified)	1 per 10,000 tons or 1 per project, whichever is greater
Moisture susceptibility	AASHTO T 283	

**39-3.01D(4) Reserved****39-3.01D(5) Department Acceptance****39-3.01D(5)(a) General**

The Department accepts RHMA-G based on compliance with:

1. Aggregate quality requirements shown in the following table:

### Aggregate Quality

Quality characteristic	Test method	Requirement
Aggregate gradation	AASHTO T 27	JMF ± Tolerance
Percent of crushed particles	AASHTO T 335	-- 90
Coarse aggregate (min, %)		
One-fractured face		
Two-fractured faces		
Fine aggregate (min, %)	AASHTO T 335	70
(Passing No. 4 sieve and retained on No. 8 sieve.)		
One fractured face		
Los Angeles Rattler (max, %)	AASHTO T 96	12 40
Loss at 100 Rev.		
Loss at 500 Rev.		
Sand equivalent (min) <sup>a, b</sup>	AASHTO T 176	47
Flat and elongated particles (max, % by weight at 5:1)	ASTM D4791	Report only
Fine aggregate angularity (min, %) <sup>c</sup>	AASHTO T 304 Method A	45

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading Indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

<sup>c</sup>The Engineer waives this specification if RHMA-G contains 10 percent or less of nonmanufactured sand by weight of total aggregate. Manufactured sand is fine aggregate produced by crushing rock or gravel.

2. In-place RHMA-G quality requirements shown in the following table:

### RHMA-G In-Place Acceptance

Quality characteristic	Test method	Requirement
Asphalt binder content (%)	AASHTO T 308 Method A	JMF -0.4, +0.5
HMA moisture content (max, %)	AASHTO T 329	1
Air voids content @ N <sub>design</sub> (%) <sup>a, b</sup>	AASHTO T 269	4.0 ± 1.5
Voids in mineral aggregate on laboratory-produced HMA <sup>d</sup> (min, %) Gradation: 1/2-inch and 3/4-inch	SP-2 Asphalt Mixture Volumetrics <sup>c</sup>	18.0–23.0
Voids in mineral aggregate on plant-produced HMA (min, %) <sup>a</sup> Gradation: 1/2-inch and 3/4-inch	SP-2 Asphalt Mixture Volumetrics <sup>c</sup>	18.0–23.0
Dust proportion <sup>a</sup>	SP-2 Asphalt Mixture Volumetrics	Report only
Density of core (% of max theoretical density) <sup>e, f</sup>	California Test 375	91–97
Hamburg wheel track (min number of passes at 0.5-inch rut depth) Binder grade: PG 58 PG 64 PG 70	AASHTO T 324 (Modified)	15,000 20,000 25,000
Hamburg wheel track (min number of passes at inflection point) Binder grade: PG 58 PG 64 PG 70	AASHTO T 324 (Modified)	10,000 12,500 15,000
Moisture susceptibility (min, psi, dry strength)	AASHTO T 283	100
Moisture susceptibility (min, psi, wet strength)	AASHTO T 283	70

<sup>a</sup>Prepare 3 briquettes. Report the average of 3 tests.

<sup>b</sup>The Engineer determines the bulk specific gravity of each lab-compacted briquette under AASHTO T 275, Method A, and theoretical maximum specific gravity under AASHTO T 209, Method A.

<sup>c</sup>Determine bulk specific gravity under AASHTO T 275, Method A.

<sup>d</sup>The Engineer determines the laboratory-prepared RHMA-G value for mix design verification only.

<sup>e</sup>The Engineer determines percent of theoretical maximum density under California Test 375 except the Engineer uses:

1. AASHTO T 275, Method A, to determine in-place density of each density core instead of using the nuclear gauge
2. AASHTO T 209, Method A to determine theoretical maximum density instead of calculating test maximum density.

<sup>f</sup>The Engineer determines theoretical maximum density under AASHTO T 209, Method A, at the frequency specified in California Test 375, Part 5. D.

### 39-3.01D(5)(b) Asphalt Rubber Binder

#### 39-3.01D(5)(b)(i) General

The Department does not use asphalt rubber binder design profile for production acceptance.

**39-3.01D(5)(b)(ii) Asphalt Modifier**

The Department accepts asphalt modifier based on compliance with the requirements shown in the following table:

**Asphalt Modifier for Asphalt Rubber Binder**

Quality characteristic	Test method	Requirement
Viscosity at 100 °C ( $\text{m}^2/\text{s} \times 10^{-6}$ )	ASTM D445	$X \pm 3^a$
Flash point (min, °C)	ASTM D92	207
Molecular Analysis		
Asphaltenes (max, % by mass (max))	ASTM D2007	0.1
Aromatics (min % by mass)	ASTM D2007	55

<sup>a</sup>The symbol "X" is the asphalt modifier viscosity.

**39-3.01D(5)(b)(iii) Crumb Rubber Modifier**

The Department accepts scrap tire CRM and high natural CRM based on compliance with the requirements shown in the following table:

**Crumb Rubber Modifier for Asphalt Rubber Binder**

Quality characteristic	Test method	Requirement
Scrap tire CRM gradation (% passing No. 8 sieve)	California Test 385	100
High natural CRM gradation (% passing No. 10 sieve)	California Test 385	100
Wire in CRM (max, %)	California Test 385	0.01
Fabric in CRM (max, %)	California Test 385	0.05
CRM particle length (max, in)	--	3/16
CRM specific gravity	California Test 208	1.1–1.2

Scrap tire CRM and high natural CRM are sampled and tested separately.

**39-3.01D(5)(b)(iv) Asphalt Rubber Binder**

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For Department acceptance testing, take samples in the Engineer's presence of asphalt rubber binder in 6 qt cans with open tops and friction lids. Take samples once per day or every 5 lots, whichever is greater.

The Department accepts asphalt rubber binder based on compliance with the requirements shown in the following table:

Quality characteristic	Test method	Requirement
Cone penetration at 25 °C (0.10 mm)	ASTM D217	25–70
Resilience at 25 °C (min, % rebound)	ASTM D5329	18
Softening point (°C)	ASTM D36	52–74
Viscosity at 190 °C (centipoises) <sup>a</sup>	ASTM D7741	1,500–4,000

<sup>a</sup>Prepare sample for viscosity test under California Test 388.

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**39-3.01D(5)(c)–39-3.01D(5)(f) Reserved****39-3.02 MATERIALS****39-3.02A General**

Reserved

### 39-3.02B Mix Design

For RHMA-G, the mix design must comply with the requirements shown in the following table:

**RHMA-G Mix Design Requirements**

Quality characteristic	Test method	Requirement
Air voids content (%)	AASHTO T 269 <sup>a</sup>	$N_{\text{design}} = 4.0$
Gyratory compaction (no. of gyrations)	AASHTO T 312	$N_{\text{design}} = 50-150^b$
Voids in mineral aggregate (min, %)	SP-2 Asphalt Mixture Volumetrics <sup>c</sup>	18.0–23.0
Dust proportion	SP-2 Asphalt Mixture Volumetrics	Report only
Hamburg wheel track (min number of passes at 0.5-inch rut depth) Binder grade: PG 58 PG 64 PG 70	AASHTO T 324 (Modified) <sup>d</sup>	15,000 20,000 25,000
Hamburg wheel track (min number of passes at the inflection point) Binder grade: PG 58 PG 64 PG 70	AASHTO T 324 (Modified) <sup>d</sup>	10,000 10,000 12,500
Moisture susceptibility, dry strength (min, psi)	AASHTO T 283 <sup>d</sup>	100
Moisture susceptibility, wet strength (min, psi)	AASHTO T 283 <sup>d,e</sup>	70

<sup>a</sup>Calculate the air voids content of each specimen using AASHTO T 275, Method A, to determine bulk specific gravity and AASHTO T 209, Method A, to determine theoretical maximum specific gravity. Under AASHTO T 209 use a digital manometer and pycnometer when performing AASHTO T 209.

<sup>b</sup>Superpave gyratory compactor ram pressure may be increased to a maximum of 825kPa, and specimens may be held at a constant height for a maximum of 90 minutes.

<sup>c</sup>Measure bulk specific gravity using AASHTO T 275, Method A.

<sup>d</sup>Test plant produced RHMA.

<sup>e</sup>Freeze thaw required.

Determine the amount of asphalt rubber binder to be mixed with the aggregate for RHMA-G as follows:

1. Base the calculations on the average of 3 briquettes produced at each asphalt rubber binder content.
2. Plot asphalt rubber binder content versus average air voids content for each set of 3 specimens and connect adjacent points with a best-fit curve.
3. Calculate voids in mineral aggregate for each specimen, average each set, and plot the average versus asphalt rubber binder content.
4. Calculate the dust proportion and plot versus asphalt rubber binder content.
5. From the curve plotted, select the theoretical asphalt rubber binder content at 4 percent air voids.
6. At the selected asphalt rubber binder content, calculate dust proportion.
7. Record the asphalt rubber binder content in the Contractor Hot Mix Asphalt Design Data Form as the OBC.



The OBC must not fall below 7.5 percent by total weight of the mix.

Laboratory mixing and compaction must comply with AASHTO R 35, except the mixing temperature of the aggregate must be between 300 and 325 degrees F. The mixing temperature of the asphalt rubber binder must be between 375 and 425 degrees F. The compaction temperature of the combined mixture must be between 290 and 320 degrees F.

### **39-3.02C Asphalt Rubber Binder**

#### **39-3.02C(1) General**

Asphalt rubber binder must be a combination of:

1. Asphalt binder
2. Asphalt modifier
3. CRM

The combined asphalt binder and asphalt modifier must be  $80.0 \pm 2.0$  percent by weight of the asphalt rubber binder.

#### **39-3.02C(2) Asphalt Modifier**

Asphalt modifier must be a resinous, high flash point, and aromatic hydrocarbon, and must comply with the requirements shown in the following table:

**Asphalt Modifier for Asphalt Rubber Binder**

Quality characteristic	Test method	Requirement
Viscosity at 100 °C ( $\text{m}^2/\text{s} \times 10^{-6}$ )	ASTM D445	$X \pm 3^a$
Flash point (min, °C)	ASTM D92	207
Molecular Analysis		
Asphaltenes (max, % by mass)	ASTM D2007	0.1
Aromatics (min, % by mass)	ASTM D2007	55

<sup>a</sup>The symbol "X" is the proposed asphalt modifier viscosity. "X" must be between 19 and 36. A change in "X" requires a new asphalt rubber binder design.

Asphalt modifier must be from 2.0 to 6.0 percent by weight of the asphalt binder in the asphalt rubber binder.

#### **39-3.02C(3) Crumb Rubber Modifier**

CRM must be a ground or granulated combination of scrap tire CRM and high natural CRM. CRM must be  $75.0 \pm 2.0$  percent scrap tire CRM and  $25.0 \pm 2.0$  percent high natural CRM by total weight of CRM. Scrap tire CRM must be from any combination of automobile tires, truck tires, or tire buffings.

The CRM must comply with the requirements shown in the following table:

**Crumb Rubber Modifier for Asphalt Rubber Binder**

Quality characteristic	Test method	Requirement
Scrap tire CRM gradation (% passing No. 8 sieve)	California Test 385	100
High natural CRM gradation (% passing No. 10 sieve)	California Test 385	100
Wire in CRM (max, %)	California Test 385	0.01
Fabric in CRM (max, %)	California Test 385	0.05
CRM particle length (max, in) <sup>a</sup>	--	3/16
CRM specific gravity	California Test 208	1.1–1.2
Natural rubber content in high natural CRM (%)	ASTM D297	40.0–48.0

<sup>a</sup>Test at mix design and for certificate of compliance.

CRM must be ground or granulated at ambient temperature. If steel and fiber are cryogenically separated, separation must occur before grinding or granulating. Cryogenically produced CRM particles must be ground or granulated and not pass through the grinder or granulator.

CRM must be dry, free-flowing particles that do not stick together. CRM must not cause foaming when combined with the asphalt binder and asphalt modifier. You may add calcium carbonate or talc up to 3 percent by weight of CRM.

### 39-3.02C(4) Design and Profile

Design the asphalt rubber binder from testing you perform for each quality characteristic and for the reaction temperatures expected during production. The profile must include the same component sources for the asphalt rubber binder used. The 24-hour (1,440-minute) interaction period determines the design profile. At a minimum, mix asphalt rubber binder components, take samples, and perform and record the tests shown in the following table:

**Asphalt Rubber Binder Reaction Design Profile**

Quality characteristic	Test Method	Minutes of reaction <sup>a</sup>							Limits
		45	60	90	120	240	360	1440	
Cone penetration at 25 °C (0.10 mm)	ASTM D217	X <sup>b</sup>				X		X	25–70
Resilience at 25 °C (min, % rebound)	ASTM D5329	X				X		X	18
Field softening point (°C)	ASTM D36	X				X		X	52–74
Viscosity (centipoises)	ASTM D7741	X	X	X	X	X	X	X	1,500–4,000

<sup>a</sup>Six hours (360 minutes) after CRM addition, reduce the oven temperature to 275 °F for 16 hours. After the 16-hour (960 minutes) cool down after CRM addition, reheat the binder to the reaction temperature expected during production for sampling and testing at 24 hours (1,440 minutes).

<sup>b</sup>"X" denotes required testing

### 39-3.02C(5) Asphalt Rubber Binder Production

#### 39-3.02C(5)(a) General

Deliver scrap tire CRM and high natural CRM in separate bags.

#### 39-3.02C(5)(b) Mixing

Proportion and mix asphalt binder, asphalt modifier, and CRM simultaneously or premix the asphalt binder and asphalt modifier before adding CRM. If you premix asphalt binder and asphalt modifier, mix them for at least 20 minutes. When you add CRM, the asphalt binder and asphalt modifier must be from 375 to 440 degrees F.

After interacting for at least 45 minutes, the quality characteristics of asphalt rubber binder must comply with the requirements shown in the following table:

Quality characteristic	Test method	Requirement
Cone penetration at 25 °C (0.10 mm)	ASTM D217	25–70
Resilience at 25 °C (min, % rebound)	ASTM D5329	18
Softening point (°C)	ASTM D36	52–74
Viscosity at 190 °C (centipoises) <sup>a</sup>	ASTM D7741	1,500–4,000

<sup>a</sup>Prepare sample for viscosity test under California Test 388.

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Do not use asphalt rubber binder during the first 45 minutes of the reaction period. During this period, the asphalt rubber binder mixture must be between 375 degrees F and the lower of 425 or 25 degrees F below the asphalt binder's flash point indicated in the MSDS.

If any asphalt rubber binder is not used within 4 hours after the reaction period, discontinue heating. If the asphalt rubber binder drops below 375 degrees F, reheat before use. If you add more scrap tire CRM to the reheated asphalt rubber binder, the binder must undergo a 45-minute reaction period. The added scrap tire CRM must not exceed 10 percent of the total asphalt rubber binder weight. Reheated and reacted asphalt rubber binder must comply with the viscosity specifications. Do not reheat asphalt rubber binder more than twice.

### 39-3.02D Aggregates

#### 39-3.02D(1) General

For RHMA-G, before the addition of asphalt binder and lime treatment, the aggregate must comply with the requirements shown in the following table:

Aggregate Quality		
Quality characteristic	Test method	Requirement
Percent of crushed particles Coarse aggregate (min, %) One-fractured face Two-fractured faces Fine aggregate (min, %) (Passing No. 4 sieve and retained on No. 8 sieve.) One fractured face	AASHTO T 335	-- 90    70
Los Angeles Rattler (max, %) Loss at 100 Rev. Loss at 500 Rev.	AASHTO T 96	12 40
Sand equivalent (min) <sup>a, b</sup>	AASHTO T 176	47
Flat and elongated particles (max, % by weight at 5:1)	ASTM D4791	Report only
Fine aggregate angularity (min, %) <sup>c</sup>	AASHTO T 304 Method A	45

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

<sup>c</sup>The Engineer waives this specification if HMA contains 10 percent or less of nonmanufactured sand by weight of total aggregate, except if your JMF fails verification. Manufactured sand is fine aggregate produced by crushing rock or gravel.

#### 39-3.02D(2) Aggregate Gradations

The aggregate gradations for RHMA-G must comply with the requirements shown in the following table:

Aggregate Gradation Requirements	
Type A HMA pavement thickness shown	Gradation
0.10 to less than 0.20 foot	1/2 inch
0.20 foot or greater	3/4 inch

For RHMA-G, the aggregate gradations must be within the target value limits for the specified sieve size shown in the following tables:

**Aggregate Gradation  
(Percentage Passing)  
Rubberized Hot Mix Asphalt - Gap Graded (RHMA-G)**

3/4-inch RHMA-G

Sieve Sizes	Target Value Limits	Allowable Tolerance
1"	100	--
3/4"	95–98	TV ± 5
1/2"	83–87	TV ± 6
3/8"	65–70	TV ± 5
No. 4	28–42	TV ± 6
No. 8	14–22	TV ± 5
No. 200	0–6	TV ± 2

1/2-inch RHMA-G

Sieve Sizes	Target Value Limits	Allowable Tolerance
3/4"	100	--
1/2"	90–98	TV ± 6
3/8"	83–87	TV ± 5
No. 4	28–42	TV ± 6
No. 8	14–22	TV ± 5
No. 200	0–6	TV ± 2

### 39-3.02E Rubberized Hot Mix Asphalt Production

Asphalt rubber binder must be from 375 to 425 degrees F when mixed with aggregate.

If the dry and wet moisture susceptibility test result for treated plant-produced RHMA-G is less than the RHMA-G mix design requirement for dry and wet moisture susceptibility strength, the minimum dry and wet strength requirement is waived, but you must use one of the following treatments:

1. Aggregate lime treatment using the slurry method
2. Aggregate lime treatment using the dry lime method
3. Liquid antistrip treatment of HMA

### 39-3.03 CONSTRUCTION

Use a material transfer vehicle when placing RHMA-G.

Do not use a pneumatic tired roller to compact RHMA-G.

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Spread and compact RHMA-G at an atmospheric temperature of at least 55 degrees F and a surface temperature of at least 60 degrees F.

If the atmospheric temperature is below 70 degrees F, cover loads in trucks with tarps. The tarps must completely cover the exposed load until you transfer the mixture to the paver's hopper or to the pavement surface. Tarps are not required if the time from discharge to truck until transfer to the paver's hopper or the pavement surface is less than 30 minutes.

For RHMA-G placed under method compaction:

1. Complete the 1st coverage of breakdown compaction before the surface temperature drops below 285 degrees F.
2. Complete breakdown and intermediate compaction before the surface temperature drops below 250 degrees F. Use a static steel-tired roller instead of the pneumatic-tired roller for intermediate compaction.
3. Complete finish compaction before the surface temperature drops below 200 degrees F.

Spread sand at a rate between 1 and 2 lb/sq yd on new RHMA-G pavement when finish rolling is complete. Sand must be free of clay or organic matter. Sand must comply with section 90-1.02C(3). Keep traffic off the pavement until spreading sand is complete.

### **39-3.04 PAYMENT**

Not Used

## **39-4 OPEN GRADED FRICTION COURSES**

### **39-4.01 GENERAL**

#### **39-4.01A Summary**

Section 39-4 includes specifications for producing and placing open graded friction courses. Open graded friction courses include HMA-O, RHMA-O, and RHMA-O-HB.

You may produce OGFC using a warm mix asphalt technology.

#### **39-4.01B Definitions**

Reserved

#### **39-4.01C Submittals**

Submit a complete JMF, except do not specify an asphalt binder content.

#### **39-4.01D Quality Control and Assurance**

##### **39-4.01D(1) General**

Reserved

##### **39-4.01D(2) Quality Control**

##### **39-4.01D(2)(a) General**

Reserved

##### **39-4.01D(2)(b) Asphalt Rubber Binder**

For RHMA-O and RHMA-O-HB, the asphalt rubber binder must comply with the specifications in 39-3.01D(2)(b).

##### **39-4.01D(2)(c) Aggregate**

Test the quality characteristics of aggregate under the test methods and frequencies shown in the following table:

**Aggregate Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Gradation	AASHTO T 27	1 per 750 tons and any remaining part
Moisture content <sup>a</sup>	AASHTO T 329	1 per 1500 tons and any remaining part
Crushed particles	AASHTO T 335	1 per 10,000 tons or 2 per project, whichever is greater
Los Angeles rattler	AASHTO T 96	
Flat and elongated particles	ASTM D4791	

<sup>a</sup>Test at continuous mixing plants only

For lime treated aggregate, test aggregate before treatment and test for gradation and moisture content during OGFC production.

**39-4.01D(2)(d) Hot Mix Asphalt Production**

Test the quality characteristics of OGFC under the test methods and frequencies shown in the following table:

**OGFC Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Asphalt binder content	AASHTO T 308 Method A	1 per 750 tons and any remaining part
HMA moisture content	AASHTO T 329	1 per 2,500 tons but not less than 1 per paving day

**39-4.01D(3) Department Acceptance****39-4.01D(3)(a) General**

The Department accepts OGFC based on compliance with:

- Aggregate quality requirements shown in the following table:

**Aggregate Quality**

Quality characteristic	Test method	Requirement
Aggregate gradation	AASHTO T 27	JMF $\pm$ Tolerance
Percent of crushed particles Coarse aggregate (min, %) One-fractured face Two-fractured faces Fine aggregate (min, %) (Passing No. 4 sieve and retained on No. 8 sieve.) One fractured face	AASHTO T 335	90 90 90
Los Angeles Rattler (max, %) Loss at 100 Rev. Loss at 500 Rev.	AASHTO T 96	12 40
Flat and elongated particles (max, % by weight @ 5:1)	ASTM D4791	Report only

- In-place OGFC quality requirements shown in the following table:

**OGFC Acceptance In Place**

Quality characteristic	Test method	Requirement
Asphalt binder content (%)	AASHTO T 308 Method A	JMF -0.4, +0.5
HMA moisture content (max, %)	AASHTO T 329	1

**39-4.01D(3)(b) Asphalt Rubber Binder**

The Department accepts asphalt rubber binder in RHMA-O and RHMA-O-HB under 39-3.01D(5)(b).

**39-4.01D(3)(c) Pavement Smoothness**

Pavement smoothness of OGFC must comply with the Mean Roughness Index requirements shown in the following table for a 0.1 mile section:

**OGFC Pavement Smoothness Acceptance Criteria**

OGFC placement on	Mean Roughness Index requirement
New construction or HMA overlay	60 in/mi or less
Existing pavement	75 in/mi or less
Milled surface	75 in/mi or less

**39-4.01D(3)(d)–39-4.01D(3)(f) Reserved****39-4.02 MATERIALS****39-4.02A General**

When mixed with asphalt binder, aggregate must not be more than 325 degrees F except aggregate for OGFC with unmodified asphalt binder must be not more than 275 degrees F.

**39-4.02B Mix Design**

The Department determines the asphalt binder content under California Test 368 within 20 days of your complete JMF submittal and provides you a Caltrans Hot Mix Asphalt Verification form.

For OGFC, the 1st paragraph of section 39-1.02B(1) does not apply.

**39-4.02C Asphalt Binder**

Asphalt rubber binder in RHMA-O and RHMA-O-HB must comply with section 39-3.02B.

**39-4.02D Aggregate****39-4.02D(1) General**

Aggregate must comply with the requirements shown in the following table:

<b>Aggregate Quality</b>		
Quality characteristic	Test method	Requirement
Percent of crushed particles Coarse aggregate (min, %) One-fractured face Two-fractured faces Fine aggregate (min, %) (Passing No. 4 sieve and retained on No. 8 sieve.) One fractured face	AASHTO T 335	-- 90    90
Los Angeles Rattler (max, %) Loss at 100 Rev. Loss at 500 Rev.	AASHTO T 96	12 40
Flat and elongated particles (max, % by weight at 5:1)	ASTM D4791	Report only

**39-4.02D(2) Aggregate Gradations**

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The aggregate gradations for HMA-O must comply with the requirements shown in the following table:

<b>Aggregate Gradation Requirements</b>	
HMA-O pavement thickness shown	Gradation
0.10 foot or greater to less than 0.15 foot	1/2 inch
0.15 foot or greater	1 inch

The aggregate gradations for RHMA-O and RHMA-O-HB must comply with the requirements shown in the following table:

<b>Aggregate Gradation Requirements</b>	
RHMA-O and RHMA-O-HB pavement thickness shown	Gradation
0.10 foot or greater	1/2 inch

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For RHMA-O and RHMA-O-HB, the 1-inch aggregate gradation is not allowed.

For OGFC, the aggregate gradations must be within the target value limits for the specified sieve size shown in the following tables:

**Aggregate Gradations  
(Percentage Passing)  
Open Graded Friction Course (OGFC)**

1-inch OGFC		
Sieve size	Target value limit	Allowable tolerance
1 1/2"	100	--
1"	99–100	TV ± 5
3/4"	85–96	TV ± 5
1/2"	55–71	TV ± 6
No. 4	10–25	TV ± 7
No. 8	6–16	TV ± 5
No. 200	0–6	TV ± 2

1/2-inch OGFC		
Sieve size	Target value limit	Allowable tolerance
3/4"	100	--
1/2"	95–100	TV ± 6
3/8"	78–89	TV ± 6
No. 4	28–37	TV ± 7
No. 8	7–18	TV ± 5
No. 30	0–10	TV ± 4
No. 200	0–3	TV ± 2

If lime treatment is required, you may reduce the lime ratio for the combined aggregate from 1.0 to 0.5 percent for OGFC.

### 39-4.03 CONSTRUCTION

Use a material transfer vehicle when placing OGFC.

If the atmospheric temperature is below 70 degrees F, cover loads in trucks with tarps. The tarps must completely cover the exposed load until you transfer the mixture to the paver's hopper or to the pavement surface. Tarps are not required if the time from discharge to truck until transfer to the paver's hopper or the pavement surface is less than 30 minutes.

Apply a tack coat before placing OGFC. The tack coat application rate must comply with the requirements of the following table:



### Tack Coat Application Rates for OGFC

OGFC over:	Minimum Residual Rates (gal/sq yd)		
	CSS1/CSS1h, SS1/SS1h and QS1h/CQS1h Asphaltic Emulsion	CRS1/CRS2, RS1/RS2 and QS1/CQS1 Asphaltic Emulsion	Asphalt Binder and PMRS2/PMCRS2 and PMRS2h/PMCRS2h Asphaltic Emulsion
New HMA	0.03	0.04	0.03
PCC and existing AC surfacing	0.05	0.06	0.04
Planed pavement	0.06	0.07	0.05

Compact OGFC with steel-tired, 2-axle tandem rollers. If placing over 300 tons of OGFC per hour, use at least 3 rollers for each paver. If placing less than 300 tons of OGFC per hour, use at least 2 rollers for each paver. Each roller must weigh between 126 to 172 lb per linear inch of drum width. Turn the vibrator off.

Compact OGFC with 2 coverages. The Engineer may order fewer coverages if the layer thickness of OGFC is less than 0.20 foot.

For HMA-O with unmodified asphalt binder:

1. Spread and compact only if the atmospheric temperature is at least 55 degrees F and the surface temperature is at least 60 degrees F.
2. Complete the 1st coverage using 2 rollers before the surface temperature drops below 240 degrees F.
3. Complete all compaction before the surface temperature drops below 200 degrees F.

For HMA-O with modified asphalt binder except asphalt rubber binder:

1. Spread and compact only if the atmospheric temperature is at least 50 degrees F and the surface temperature is at least 50 degrees F.
2. Complete the 1st coverage using 2 rollers before the surface temperature drops below 240 degrees F.
3. Complete all compaction before the surface temperature drops below 180 degrees F.

For RHMA-O and RHMA-O-HB:

1. Spread and compact only if the atmospheric temperature is at least 55 degrees F and surface temperature is at least 60 degrees F.
2. Complete the 1st coverage using 2 rollers before the surface temperature drops below 280 degrees F.
3. Complete compaction before the surface temperature drops below 250 degrees F.

Spread sand at a rate between 1 and 2 lb/sq yd on new RHMA-O and RHMA-O-HB pavement when finish rolling is complete. Sand must be free of clay or organic matter. Sand must comply with section 90-1.02C(3). Keep traffic off the pavement until spreading sand is complete.

If you choose to correct OGFC for smoothness, the Engineer determines if the corrective method causes raveling. OGFC that is raveling must be removed and replaced.

#### **39-4.04 PAYMENT**

Not Used

## **39-5 BONDED WEARING COURSES**

### **39-5.01 GENERAL**

#### **39-5.01A General**

##### **39-5.01A(1) Summary**

Section 39-5 includes specifications for producing and placing bonded wearing courses.

BWC includes placing a polymer modified asphaltic emulsion and the specified HMA in a single pass with an integrated paving machine.

BWC using RHMA-G, RHMA-O, or HMA-O must comply with the specifications for RHMA-G, RHMA-O, or HMA-O.

##### **39-5.01A(2) Definitions**

Reserved

##### **39-5.01A(3) Submittals**

With your JMF submittal, include:

1. Asphaltic emulsion membrane target residual rate
2. Weight ratio of water to bituminous material in the original asphaltic emulsion

Within 3 business days following the 1st job site delivery, submit test results for asphaltic emulsion properties performed on a sample taken from the asphaltic emulsion delivered.

Within 1 business day of each job site delivery of asphaltic emulsion, submit to METS a 2-quart sample and a certificate of compliance. Ship each sample so that it is received at METS within 48 hours of sampling.

Each day BWC is placed, submit the residual and application rate for the asphaltic emulsion membrane.

During production, submit certified volume or weight slips for the materials supplied.

##### **39-5.01A(4) Quality Control and Assurance**

###### **39-5.01A(4)(a) General**

For each job site delivery of asphaltic emulsion, take a 2-quart sample in the presence of the Engineer. Take samples from the delivery truck at mid-load from a sampling tap or thief. If the sample is taken from the tap, draw and discard 4 quarts before sampling.

If you unload asphalt binder or asphaltic emulsion into a bulk storage tank, do not use material from the tank until you submit test results for a sample taken from the bulk storage tank. Testing must be performed by an AASHTO-accredited laboratory.

###### **39-5.01A(4)(b) Quality Control**

Sample BWC in two 1-gallon metal containers.

The asphaltic emulsion membrane must be tested under ASTM D2995 at least once per paving day at the job site.

**39-5.01A(4)(c) Department Acceptance**

The Department accepts asphaltic emulsion membrane based on compliance with the requirements shown in the following table:

10-17-14

<b>Asphaltic Emulsion Membrane</b>		
Quality characteristic	Test method	Requirement
Saybolt Furol Viscosity at 25 °C (SFS) <sup>a</sup>	AASHTO T 59	20–100
Sieve test on original emulsion at time of delivery (max, %)	AASHTO T 59	0.05
24-hour storage stability (max, %)	AASHTO T 59	1
Residue by evaporation (min, %)	California Test 331	63
Tests on residue from evaporation test:		
Torsional recovery, measure entire arc of recovery at 25 °C (min, %)	California Test 332	40
Penetration at 25 °C (0.01 mm)	AASHTO T 49	70–150

<sup>a</sup>SFS means Saybolt Furol seconds

The Department accepts the BWC based on the submitted asphaltic emulsion membrane target residual rate  $\pm 0.02$  gal/sq yd when tested under ASTM D2995.

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**39-5.01B Materials****39-5.01B(1) General**

Reserved

**39-5.01B(2) Asphaltic Emulsion Membrane**

The asphaltic emulsion membrane must comply with the requirements shown in the following table:

10-17-14

<b>Asphaltic Emulsion Membrane</b>		
Quality characteristic	Test method	Requirement
Saybolt Furol Viscosity at 25 °C (SFS) <sup>a</sup>	AASHTO T 59	20–100
Sieve test on original emulsion at time of delivery (max, %)	AASHTO T 59	0.05
24-hour storage stability (max, %)	AASHTO T 59	1
Residue by evaporation (min, %)	California Test 331	63
Tests on residue from evaporation test:		
Torsional recovery, measure entire arc of recovery at 25 °C (min, %)	California Test 332	40
Penetration at 25 °C (0.01 mm)	AASHTO T 49	70–150

<sup>a</sup> SFS means Saybolt Furol seconds

**39-5.01B(3) Reserved****39-5.01C Construction****39-5.01C(1) General**

Use method compaction for BWC.

Do not dilute the asphaltic emulsion.

Do not place BWC if rain is forecast for the project area within 24 hours by the National Weather Service.

04-18-14

### 39-5.01C(2) Spreading and Compacting Equipment

Use a material transfer vehicle when placing BWC.

Use an integrated distributor paver capable of spraying the asphaltic emulsion membrane, spreading the HMA, and leveling the mat surface in 1 pass.

Apply asphaltic emulsion membrane at a uniform rate for the full paving width. The asphaltic emulsion membrane must not be touched by any part of the paver including wheels or tracks.

If the spray bar is adjusted for changing pavement widths, the paver must prevent excess spraying of asphaltic emulsion beyond 2 inches of the HMA edge.

### 39-5.01C(3) Applying Asphaltic Emulsion

10-17-14

Before spreading HMA, apply asphaltic emulsion membrane on dry or damp pavement with no free water.

04-18-14

Apply emulsion at a temperature from 120 to 180 degrees F and in a single application at the residual rate specified for the condition of the underlying surface. Asphaltic emulsion membrane must have a target residual rate for the surfaces to receive the emulsion as shown in the following table:

**Asphaltic Emulsion Membrane Target Residual Rate**

Surface to receive asphaltic emulsion membrane	Target residual rates (gal/sq yd)
PCC pavement	0.09–0.11
Dense, compacted, new HMA pavement	0.11–0.14
Open textured, dry, aged or oxidized existing AC pavement	0.13–0.17

If requested and authorized, you may change the asphaltic emulsion membrane application rates.

### 39-5.01C(4) Placing and Compacting Hot Mix Asphalt

Construct a transverse joint if the HMA remains in the paver for more than 30 minutes.

Do not reintroduce HMA spread over asphaltic emulsion membrane into the paving process.

Do not overlap or hot lap HMA. Pave through lanes after paving adjacent:

1. Shoulders
2. Tapers
3. Transitions
4. Road connections
5. Driveways
6. Curve widenings
7. Chain control lanes
8. Turnouts
9. Turn pockets
10. Ramps

For BWC placed on areas adjacent to through lanes that extend into the through lanes, cut the BWC to a neat, straight vertical line at the lane line.

If you spill asphaltic emulsion into the paver hopper, stop paving and remove the contaminated material.

### 39-5.01D Payment

Not Used

## **39-5.02 BONDED WEARING COURSES-GAP GRADED**

### **39-5.02A General**

#### **39-5.02A(1) Summary**

Section 39-5.02 includes specifications for producing bonded wearing course-gap graded.

#### **39-5.02A(2) Definitions**

Reserved

#### **39-5.02A(3) Submittals**

Include film thickness and calculations and AASHTO T 305 results with your JMF submittal.

#### **39-5.02A(4) Quality Control and Assurance**

##### **39-5.02A(4)(a) General**

Reserved

##### **39-5.02A(4)(b) Quality Control**

###### **39-5.02A(4)(b)(i) General**

Reserved

###### **39-5.02A(4)(b)(ii) Aggregate**

Test the quality characteristics of aggregate under the test methods and frequencies shown in the following table:

**Aggregate Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Gradation	AASHTO T 27	1 per 750 tons and any remaining part
Sand equivalent <sup>a, b</sup>	AASHTO T 176	
Moisture content <sup>c</sup>	AASHTO T 329	1 per 1500 tons and any remaining part
Crushed particles	AASHTO T 335	1 per 10,000 tons or 2 per project, whichever is greater
Los Angeles rattler	AASHTO T 96	
Flat and elongated particles	ASTM D4791	
Fine aggregate angularity	AASHTO T 304 Method A	

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2, and 8.4.3 do not apply.

<sup>c</sup>Test at continuous mixing plants only.

For lime treated aggregate, test aggregate before treatment and test for gradation and moisture content during BWC-G production.

###### **39-5.02A(4)(b)(iii) Hot Mix Asphalt Production**

Sample BWC in two 1-gallon metal containers.

Test the quality characteristics of BWC-G under the test methods and frequencies shown in the following table:

**BWC-G Testing Frequencies**

Quality characteristic	Test method	Minimum testing frequency
Asphalt binder content	AASHTO T 308 Method A	1 per 750 tons and any remaining part
HMA moisture content	AASHTO T 329	1 per 2,500 tons but not less than 1 per paving day

**39-5.02A(4)(b)(iv)–39-5.02A(4)(b)(vii) Reserved****39-5.02A(4)(c) Department Acceptance**

The Department accepts BWC-G based on compliance with:

1. Asphalt binder content at JMF -0.4, +0.5 percent when tested under AASHTO T 308, Method A.
2. Aggregate quality requirements shown in the following table:

**Aggregate Quality**

Quality characteristic	Test method	Requirement
Aggregate gradation	AASHTO T 27	JMF ± Tolerance
Percent of crushed particles	AASHTO T 335	--
Coarse aggregate (min, %)		
One-fractured face		
Two-fractured faces		
Fine aggregate (min, %)	AASHTO T 335	90
(Passing No. 4 sieve and retained on No. 8 sieve.)		
One fractured face		
Los Angeles Rattler (max, %)	AASHTO T 96	12
Loss at 100 Rev.		
Loss at 500 Rev.		
Sand equivalent (min)	AASHTO T 176	47
Flat and elongated particles (max, % by weight at 5:1)	ASTM D4791	25
Fine aggregate angularity (min, %)	AASHTO T 304 Method A	45

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

**39-5.02B Materials****39-5.02B(1) General**

Reserved

**39-5.02B(2) Mix Design**

For BWC-G, the 1st paragraph of section 39-1.02B(1) does not apply.

Determine the proposed OBC from a mix design that complies with the requirements shown in the following table:

### Hot Mix Asphalt Mix Design Requirements

Quality characteristic	Test method	Requirement
Film thickness (min, $\mu\text{m}$ )	Asphalt Institute MS-2 Table 6.1 <sup>a</sup>	12
Drain down (max, %)	AASHTO T 305 <sup>b</sup>	0.1

<sup>a</sup> Film thickness is calculated based on the effective asphalt content and determined as follows:

$$FT = \left( \frac{P_{be}}{SA \times G_b \times 1000} \right) 10^6$$

Where:

FT = Film thickness in  $\mu\text{m}$

$P_{be}$  = Effective asphalt content by total weight of mix using SP-2 Asphalt Mixture

SA = Estimated surface area of the aggregate blend in  $\text{m}^2/\text{kg}$  from Table 6.1 in the Asphalt Institute Manual Series No. 2 (MS-2).

$G_b$  = Specific gravity of asphalt binder

<sup>b</sup> Combine aggregate and asphalt at the asphalt binder supplier's instructed mixing temperature. Coated aggregates that fall through the wire basket during loading must be returned to the basket before conditioning at 350 °F for 1 hour.

The OBC must be greater than 4.9 percent by total weight of mix.

#### 39-5.02B(3) Asphalt Binder

Reserved

#### 39-5.02B(4) Aggregate

The aggregate must comply with the requirements shown in the following table:

#### Aggregate Quality

Quality characteristic	Test method	Requirement
Percent of crushed particles	AASHTO T 335	-- 90
Coarse aggregate (min, %)		
One-fractured face		
Two-fractured faces		
Fine aggregate (min, %)	AASHTO T 335	85
(Passing No. 4 sieve and retained on No. 8 sieve.)		
One fractured face		
Los Angeles Rattler (max, %)	AASHTO T 96	12 35
Loss at 100 Rev.		
Loss at 500 Rev.		
Sand equivalent (min)	AASHTO T 176	47
Flat and elongated particles (max, % by weight @ 5:1)	ASTM D4791	25
Fine aggregate angularity (min, %)	AASHTO T 304 Method A	45

<sup>a</sup>Reported value must be the average of 3 tests from a single sample.

<sup>b</sup>Use of a sand reading indicator is required as shown in AASHTO T 176, Figure 1. Sections 4.7, 4.8, 7.1.2, 8.4.2 and 8.4.3 do not apply.

The aggregate gradations for BWC-G must comply with the requirements shown in the following table:

10-17-14

**Aggregate Gradation Requirements**

BWC-G pavement thickness shown	Gradation
less than 0.08 foot	No. 4 or 3/8 inch
0.08 foot or greater	1/2 inch

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The proposed aggregate gradation must be within the TV limits for the specified sieve sizes shown in the following tables:

**Aggregate Gradation  
(Percentage Passing)  
Bonded Wearing Course—Gap Graded**

**1/2-inch BWC-G**

Sieve sizes	Target value limits	Allowable tolerance
3/4"	100	--
1/2"	80–100	TV ± 6
3/8"	55–80	TV ± 6
No. 4	25–40	TV ± 7
No. 8	19–32	TV ± 5
No. 16	16–22	TV ± 5
No. 30	10–18	TV ± 4
No. 50	8–13	TV ± 4
No. 100	6–10	TV ± 2
No. 200	4.0–7.0	TV ± 2

**3/8-inch BWC-G**

Sieve sizes	Target value limits	Allowable tolerance
1/2"	100	--
3/8"	80–100	TV ± 6
No. 4	25–40	TV ± 7
No. 8	19–32	TV ± 5
No. 16	16–22	TV ± 5
No. 30	10–18	TV ± 4
No. 50	8–13	TV ± 4
No. 100	7–11	TV ± 2
No. 200	6.0–10.0	TV ± 2

**No. 4 BWC-G**

Sieve sizes	Target value limits	Allowable tolerance
1/2"	100	--
3/8"	95–100	TV ± 2
No. 4	42–55	TV ± 7
No. 8	19–32	TV ± 5
No. 16	16–22	TV ± 5
No. 30	10–18	TV ± 4
No. 50	8–13	TV ± 4
No. 100	7–11	TV ± 2
No. 200	6.0–10.0	TV ± 2



### **39-5.02C Construction**

10-17-14

Apply asphaltic emulsion when the atmospheric and pavement temperatures are above:

1. 50 degrees F if PG 76-22 M is specified
2. 45 degrees F if PG 64-28 M is specified

04-18-14

### **39-5.02D Payment**

Not Used

## **39-6 HOT MIX ASPHALT ON BRIDGE DECKS**

### **39-6.01 GENERAL**

Section 39-6 includes specifications for producing and placing hot mix asphalt on bridge decks.

HMA used for bridge decks must comply with the specifications for Type A HMA in section 39-2.

### **39-6.02 MATERIALS**

Do not use the 1-inch or 3/4-inch aggregate gradation for HMA on bridge decks.

The grade of asphalt binder for HMA must be PG 64-10 or PG 64-16.

### **39-6.03 CONSTRUCTION**

Spread and compact HMA on bridge decks using method compaction.

If a concrete expansion dam is to be placed at a bridge deck expansion joint, tape oil-resistant construction paper to the deck over the area to be covered by the dam before placing the tack coat and HMA across the joint.

Apply tack coat at the minimum residual rate specified in section 39-1.03C(5). For HMA placed on a deck seal, use the minimum residual rate specified for PCC.

For HMA placed on a deck seal:

1. Place the HMA within 7 days after installing the deck seal.
2. If a paper mask is placed on the deck under section 54-5.03, place the HMA continuously across the paper mask.
3. Place HMA in at least 2 approximately equal layers.
4. For placement of the 1st HMA layer:
  - 4.1. Comply with the HMA application temperature recommended by the deck seal manufacturer.
  - 4.2. Deliver and place HMA using equipment with pneumatic tires or rubber-faced wheels. Do not operate other vehicles or equipment on the bare deck seal.
  - 4.3. Deposit HMA on the deck seal in such a way that the deck seal is not damaged. Do not use a windrow.
  - 4.4. Place HMA in a downhill direction on bridge decks with grades over 2 percent.
  - 4.5. Self-propelled spreading equipment is not required.

### **39-6.04 PAYMENT**

Not Used

## **39-7 MINOR HOT MIX ASPHALT**

### **39-7.01 GENERAL**

#### **39-7.01A Summary**

Section 39-7 includes specifications for producing and placing minor hot mix asphalt.

Minor HMA must comply with section 39-2 except as specified in this section 39-7.

### **39-7.01B Definitions**

Reserved

### **39-7.01C Submittals**

The QC plan, test results, and inertial profiler specifications in sections 39-1.01C(3), 39-1.01C(4), 39-1.01C(13)(c)–(d) do not apply.

### **39-7.01D Quality Control and Assurance**

#### **39-7.01D(1) General**

For minor HMA, the JMF renewal, inertial profiler certifications and testing, and prepaving meeting specifications in sections 39-1.01D(4), 39-1.01D(6)(c), and 39-1.01D(7) do not apply.

Test pavement smoothness with a 12 foot straightedge.

#### **39-7.01D(2) Quality Control**

For minor HMA, section 39-2.01D(2) applies except testing for compliance with the following quality characteristics is not required:

1. Flat and elongated particles
2. Fine aggregate angularity
3. Hamburg wheel track
4. Moisture susceptibility

#### **39-7.01D(3) Department Acceptance**

The Department accepts minor HMA under section 39-2.01D(5) except compliance with the following quality characteristics is not required:

1. Flat and elongated particles
2. Fine aggregate angularity
3. Hamburg wheel track
4. Moisture susceptibility

### **39-7.02 MATERIALS**

#### **39-7.02A General**

Reserved

#### **39-7.02B Mix Design**

The mix design for minor HMA must comply with section 39-2.02B except the Hamburg wheel track and moisture susceptibility requirements do not apply.

#### **39-7.02C Asphalt Binder**

The grade of asphalt binder for minor HMA must be PG-64-10 or PG-64-16.

#### **39-7.02D Liquid Antistrip Treatment**

Treat minor HMA with liquid antistrip. Liquid antistrip treatment is not required if you submit AASHTO T 283 and AASHTO T 324 (Modified) test results showing compliance with section 39-2.02B. The tests must be dated within 12 months of submittal.

10-17-14

### **39-7.03 CONSTRUCTION**

Not Used

### **39-7.04 PAYMENT**

Not Used

04-18-14

AA

## 40 CONCRETE PAVEMENT

07-19-13

Replace the headings and paragraphs in section 40 with:

07-19-13

### 40-1 GENERAL

#### 40-1.01 GENERAL

##### 40-1.01A Summary

Section 40-1 includes general specifications for constructing concrete pavement.

##### 40-1.01B Definitions

**concrete raveling:** Progressive disintegration of the pavement surface resulting from dislodged aggregate.

**full depth crack:** Crack that runs from one edge of the slab to the opposite or adjacent side of the slab, except a crack parallel to and within 0.5 foot of either side of a planned contraction joint

**working crack:** Crack that extends through the full depth of the slab and is parallel to and within 0.5 foot of either side of a planned contraction joint.

**action limit:** Value at which corrective actions must be made while production may continue.

**suspension limit:** Value at which production must be suspended while corrections are made.

##### 40-1.01C Submittals

##### 40-1.01C(1) General

At least 15 days before delivery to the job site, submit manufacturer's recommendations and instructions for storage and installation of:

1. Threaded tie bar splice couplers
2. Joint filler

As an informational submittal, submit calibration documentation and operational guidelines for frequency measuring devices (tachometer) for concrete consolidation vibrators.

Submit updated quality control charts each paving day.

##### 40-1.01C(2) Certificates of Compliance

Submit a certificate of compliance for:

1. Tie bars
2. Threaded tie bar splice couplers
3. Dowel bars
4. Tie bar baskets
5. Dowel bar baskets
6. Joint filler
7. Epoxy powder coating

##### 40-1.01C(3) Quality Control Plan

Submit a concrete pavement QC plan. Allow 30 days for review.

#### **40-1.01C(4) Mix Design**

At least 15 days before testing for mix proportions, submit a copy of the AASHTO accreditation for your laboratory determining the mix proportions. At least 15 days before starting field qualification, submit the proposed concrete mix proportions, the corresponding mix identifications, and laboratory test reports including the modulus of rupture for each trial mixture at 10, 21, 28, and 42 days.

#### **40-1.01C(5) Concrete Field Qualification**

Submit field qualification data and test reports including:

1. Mixing date
2. Mixing equipment and procedures used
3. Batch volume in cubic yards. The minimum batch size is 5 cu yd.
4. Type and source of ingredients used
5. Penetration of the concrete
6. Air content of the plastic concrete
7. Age and strength at time of concrete beam testing

Field qualification test reports must be certified with a signature by an official in responsible charge of the laboratory performing the tests.

#### **40-1.01C(6) Cores**

Submit for authorization the name of the laboratory you propose to use for testing the cores for air content.

Submit each core in an individual plastic bag marked with a location description.

#### **40-1.01C(7) Profile Data and Straightedge Measurements**

At least 5 business days before start of initial profiling or changing profiler or operator, submit:

1. Inertial profiler (IP) certification issued by the Department. The certification must not be more than 12 months old.
2. Operator certification for the IP issued by the Department. The operator must be certified for each different model of IP device operated. The certification must not be more than 12 months old.
3. List of manufacturer's recommended test procedures for IP calibration and verification.

Within 2 business days after cross correlation testing, submit ProVAL profiler certification analysis report for cross correlation test results performed on test section. ProVAL is FHWA's software. Submit the certification analysis report to the Engineer and to the electronic mailbox address:

smoothness@dot.ca.gov

Within 2 business days after each day of inertial profiling, submit profile data to the Engineer and to the electronic mailbox address:

smoothness@dot.ca.gov

Within 2 business days of performing straightedge testing, submit a report of areas requiring smoothness correction.

#### **40-1.01C(8)–40-1.01C(12) Reserved**

#### **40-1.01D Quality Control and Assurance**

##### **40-1.01D(1) General**

If the pavement quantity is at least 2000 cu yd, provide a QC manager.

Core pavement as described for, thickness, bar placement, and air content.

For the Department's modulus of rupture testing, assist the Engineer in fabricating test beams by providing materials and labor.

Allow at least 25 days for the Department to schedule testing for coefficient of friction. Notify the Engineer when the pavement is scheduled to be opened to traffic. Notify the Engineer when the pavement is ready for testing which is the latter of:

1. Seven days after paving
2. When the pavement has attained a modulus of rupture of at least 550 psi

The Department tests for coefficient of friction within 7 days of receiving notification that the pavement is ready for testing.

#### **40-1.01D(2) Prepaving Conference**

Schedule a prepaving conference at a mutually agreed upon time and place to meet with the Engineer. Make the arrangements for the conference facility. Discuss QC plan and methods of performing each item of the work.

Prepaving conference attendees must sign an attendance sheet provided by the Engineer. The prepaving conference must be attended by your:

1. Project superintendent
2. QC manager
3. Paving construction foreman
4. Workers and your subcontractor's workers, including:
  - 4.1. Foremen including subcontractor's Foremen
  - 4.2. Concrete plant manager
  - 4.3. Concrete plant operator

Do not start paving activities including test strips until the listed personnel have attended a prepaving conference.

#### **40-1.01D(3) Just-In-Time-Training**

Reserved

#### **40-1.01D(4) Quality Control Plan**

Establish, implement, and maintain a QC plan for pavement. The QC plan must describe the organization and procedures used to:

1. Control the production process
2. Determine if a change to the production process is needed
3. Implement a change

The QC plan must include action and suspension limits and details of corrective action to be taken if any process is out of those limits. Suspension limits must not exceed specified acceptance criteria.

The QC plan must address the elements affecting concrete pavement quality including:

1. Mix proportions
2. Aggregate gradation
3. Materials quality
4. Stockpile management
5. Line and grade control
6. Proportioning
7. Mixing and transportation
8. Placing and consolidation
9. Contraction and construction joints
10. Bar reinforcement placement and alignment
11. Dowel bar placement, alignment, and anchorage
12. Tie bar placement
13. Modulus of rupture
14. Finishing and curing

15. Protecting pavement
16. Surface smoothness

#### **40-1.01D(5) Mix Design**

Use a laboratory that complies with ASTM C 1077 to determine the mix proportions for concrete pavement. The laboratory must have a current AASHTO accreditation for:

1. AASHTO T 97 or ASTM C 78
2. ASTM C 192/C 192M

Make trial mixtures no more than 24 months before field qualification.

Using your trial mixtures, determine the minimum cementitious materials content. Use your value for minimum cementitious material content for *MC* in equation 1 and equation 2 of section 90-1.02B(3).

To determine the minimum cementitious materials content or maximum water to cementitious materials ratio, use modulus of rupture values of at least 570 psi for 28 days age and at least 650 psi for 42 days age.

If changing an aggregate supply source or the mix proportions, produce a trial batch and field-qualify the new concrete. The Engineer does not adjust contract time for performing sampling, testing, and qualifying new mix proportions or changing an aggregate supply source.

#### **40-1.01D(6) Quality Control Testing**

##### **40-1.01D(6)(a) General**

Testing laboratories and testing equipment must comply with the Department's Independent Assurance Program.

##### **40-1.01D(6)(b) Concrete Mix**

Before placing pavement, your mix design must be field qualified. Use an ACI certified "Concrete Laboratory Technician, Grade I" to perform field qualification tests and calculations. Test for modulus of rupture under California Test 523 at 10, 21, and 28 days of age.

When placing pavement, your quality control must include testing properties at the frequencies shown in the following table:

**QC Testing Frequency**

Property	Test method	Minimum frequency
Cleaness value	California Test 227	2 per day
Sand equivalent	California Test 217	2 per day
Aggregate gradation	California Test 202	2 per day
Air content (air entrainment specified)	California Test 504	1 per hour
Air content (air entrainment not specified)	California Test 504	1 per 4 hours
Density	California Test 518	1 per 4 hours
Penetration	California Test 533	1 per 4 hours
Aggregate moisture meter calibration <sup>a</sup>	California Test 223 or California Test 226	1 per day

<sup>a</sup> Check calibration of the plant moisture meter by comparing moisture meter readings with California Test 223 or California Test 226 test results.

Maintain control charts to identify potential problems and assignable causes. Post a copy of each control chart at a location determined by the Engineer.

Individual measurement control charts must use the target values in the mix proportions as indicators of central tendency.

Develop linear control charts for:

1. Cleanness value
2. Sand equivalent
3. Fine and coarse aggregate gradation
4. Air content
5. Penetration

Control charts must include:

1. Contract number
2. Mix proportions
3. Test number
4. Each test parameter
5. Action and suspension limits
6. Specification limits
7. Quality control test results

For fine and coarse aggregate gradation control charts, record the running average of the previous 4 consecutive gradation tests for each sieve and superimpose the specification limits.

For air content control charts, the action limit is  $\pm 1.0$  percent of the specified value. If no value is specified, the action limit is  $\pm 1.0$  percent of the value used for your approved mix design.

As a minimum, a process is out of control if any of the following occurs:

1. For fine and coarse aggregate gradation, 2 consecutive running averages of 4 tests are outside the specification limits
2. For individual penetration or air content measurements:
  - 2.1. One point falls outside the suspension limit line
  - 2.2. Two points in a row fall outside the action limit line

Stop production and take corrective action for out of control processes or the Engineer rejects subsequent material.

Before each day's concrete pavement placement and at intervals not to exceed 4 hours of production, use a tachometer to test and record vibration frequency for concrete consolidation vibrators.

#### **40-1.01D(6)(c) Pavement Smoothness**

##### **40-1.01D(6)(c)(i) General**

Notify the Engineer 2 business days before performing smoothness testing including IP calibration and verification testing. The notification must include start time and locations by station.

Before testing the pavement smoothness, remove foreign objects from the surface, and mark the beginning and ending station on the pavement shoulder.

Test pavement smoothness using an IP except use a 12-foot straightedge at the following locations:

1. Traffic lanes less than 1,000 feet in length including ramps, turn lanes, and acceleration and deceleration lanes
2. Areas within 15 feet of manholes
3. Shoulders
4. Weigh-in-motion areas
5. Miscellaneous areas such as medians, gore areas, turnouts, and maintenance pullouts

##### **40-1.01D(6)(c)(ii) Straightedge Testing**

Identify locations of areas requiring correction by:

1. Location Number

2. District-County-Route
3. Beginning station or post mile to the nearest 0.01 mile
4. For correction areas within a lane:
  - 4.1. Lane direction as NB, SB, EB, or WB
  - 4.2. Lane number from left to right in direction of travel
  - 4.3. Wheel path as "L" for left, "R" for right, or "B" for both
5. For correction areas not within a lane:
  - 5.1. Identify pavement area (e.g., shoulder, weight station, turnout)
  - 5.2. Direction and distance from centerline as "L" for left or "R" for right
6. Estimated size of correction area

#### **40-1.01D(6)(c)(iii) Inertial Profile Testing**

IP equipment must display a current certification decal with expiration date.

Conduct cross correlation IP verification test in the Engineer's presence before performing initial profiling. Verify cross correlation IP verification test at least annually. Conduct 5 repeat runs of the IP on an authorized test section. The test section must be on an existing concrete pavement surface 0.1 mile long. Calculate a cross correlation to determine the repeatability of your device under Section 8.3.1.2 of AASHTO R 56 using ProVAL profiler certification analysis with a 3 feet maximum offset. The cross correlation must be a minimum of 0.92.

Conduct the following IP calibration and verification tests in the Engineer's presence each day before performing inertial profiling:

1. Block test. Verify the height sensor accuracy under AASHTO R 57, section 5.3.2.3.
2. Bounce test. Verify the combined height sensor and accelerometer accuracy under AASHTO R 57, section 5.3.2.3.2.
3. DMI test. Calibrate the accuracy of the testing procedure under AASHTO R 56, section 8.4.
4. Manufacturer's recommended tests.

Collect IP data using the specified ProVAL analysis with 250 mm and IRI filters. Comply with the requirements for data collection under AASHTO R 56.

For IP testing, wheel paths are 3 feet from and parallel to the edge of a lane. Left and right are relative to the direction of travel. The IRI is the pavement smoothness along a wheel path of a given lane. The MRI is the average of the IRI values for the left and right wheel path from the same lane.

Operate the IP according to the manufacturer's recommendations and AASHTO R 57 at 1-inch recording intervals and a minimum 4 inch line laser sensor.

Collect IP data under AASHTO R 56. IP data must include:

1. Raw profile data for each lane.
2. ProVAL ride quality analysis report for the international roughness index (IRI) of left and right wheel paths of each lane. Submit in pdf file format.
3. ProVAL ride quality analysis report for the mean roughness index (MRI) of each lane. Submit in pdf file format.
4. ProVAL smoothness assurance analysis report for IRIs of left wheel path. Submit in pdf file format.
5. ProVAL smoothness assurance analysis report for IRIs of right wheel path. Submit in pdf file format.
6. GPS data file for each lane in GPS exchange. Submit in GPS eXchange file format.
7. Manufacturer's recommended IP calibration and verification tests results.
8. AASHTO IP calibration and verification test results including bounce, block, and distance measurement instrument (DMI).

Submit the IP raw profile data in unfiltered electronic pavement profile file (PPF) format. Name the PPF file using the following naming convention:

YYYYMMDD\_TTCCRRR\_D\_L\_W\_S\_X\_PT.PPF



where:

YYYY = year

MM = Month, leading zero

DD = Day of month, leading zero

TT = District, leading zero

CCC = County, 2 or 3 letter abbreviation as shown in section 1-1.08

RRR = Route number, no leading zeros

D = Traffic direction as NB, SB, WB, or EB

L = Lane number from left to right in direction of travel

W = Wheel path as "L" for left, "R" for right, or "B" for both

S = Beginning station to the nearest foot (e.g., 10+20) or beginning post mile to the nearest hundredth (e.g., 25.06) no leading zero

X = Profile operation as "EXIST" for existing pavement, "PAVE" for after paving, or "CORR" for after final surface pavement correction

PT = Pavement type (e.g., "concrete", etc.)

Determine IRIs using the ProVAL ride quality analysis with a 250 mm and IRI filters. While collecting the profile data to determine IRI, record the following locations in the raw profile data:

1. Begin and end of all bridge approach slabs
2. Begin and end of all bridges
3. Begin and end of all culverts visible on the roadway surface

For each 0.1 mile section, your IRI values must be within 10 percent of the Department's IRI values. The Engineer may order you to recalibrate your IP equipment and reprofile. If your results are inaccurate due to operator error, the Engineer may disqualify your IP operator.

Determine the MRI for 0.1-mile fixed sections. A partial section less than 0.1 mile that is the result of an interruption to continuous pavement surface must comply with the MRI specifications for a full section. Adjust the MRI for a partial section to reflect a full section based on the proportion of a section paved.

Determine the areas of localized roughness. Use the ProVAL smoothness assurance with a continuous IRI for each wheel path, 25-foot interval, and 250 mm and IRI filters.

#### **40-1.01D(6)(c)(iv) Reserved**

#### **40-1.01D(6)(d)–40-1.01D(6)(h) Reserved**

#### **40-1.01D(7) Pavement Acceptance**

#### **40-1.01D(7)(a) Acceptance Testing**

#### **40-1.01D(7)(a)(i) General**

The Department's acceptance testing includes testing the pavement properties at the minimum frequencies shown in the following table:

Property	Acceptance Testing		Frequency <sup>a</sup>
	CRCP	JPCP	
Modulus of rupture (28 day)	California Test 523		1,000 cu yd
Air content <sup>b</sup>	California Test 504		1 day's paving
Dowel bar placement	--	Measurement <sup>a</sup>	700 sq yd
Tie bar placement	--	Measurement <sup>a</sup>	4,000 sq yd
Thickness	California Test 531		1,200 sq yd
Coefficient of friction	California Test 342		1 day's paving

<sup>a</sup>A single test represents no more than the frequency specified.

<sup>b</sup>Tested only when air entrainment is specified.

Pavement smoothness may be accepted based on your testing in the absence of the Department's testing.

**40-1.01D(7)(a)(ii) Air Content**

If air-entraining admixtures are specified, the Engineer uses a t-test to compare your QC test results with the Department's test results. The t-value for test data is determined using the following equation:

$$t = \frac{|\bar{X}_c - \bar{X}_v|}{S_p \sqrt{\frac{1}{n_c} + \frac{1}{n_v}}} \quad \text{and} \quad S_p^2 = \frac{S_c^2(n_c - 1) + S_v^2(n_v - 1)}{n_c + n_v - 2}$$

where:

- $n_c$  = Number of your quality control tests (minimum of 6 required)
- $n_v$  = Number of Department's tests (minimum of 2 required)
- $\bar{X}_c$  = Mean of your quality control tests
- $\bar{X}_v$  = Mean of the Department's tests
- $S_p$  = Pooled standard deviation  
(When  $n_v = 1$ ,  $S_p = S_c$ )
- $S_c$  = Standard deviation of your quality control tests
- $S_v$  = Standard deviation of the Department's tests (when  $n_v > 1$ )

The Engineer compares your QC test results with the Department's test results at a level of significance of  $\alpha = 0.01$ . The Engineer compares the t-value to  $t_{crit}$ , using degrees of freedom showing in the following table:

degrees of freedom ( $n_c + n_v - 2$ )	$t_{crit}$ (for $\alpha = 0.01$ )
1	63.657
2	9.925
3	5.841
4	4.604
5	4.032
6	3.707
7	3.499
8	3.355
9	3.250
10	3.169

If the t-value calculated is less than or equal to  $t_{crit}$ , your quality control test results are verified. If the t-value calculated is greater than  $t_{crit}$ , quality control test results are not verified.

If your quality control test results are not verified, core at least 3 specimens from concrete pavement under section 40-1.03P. The Engineer selects the core locations. The authorized laboratory must test these specimens for air content under ASTM C 457. The Engineer compares these test results with your quality control test results using the t-test method. If your quality control test results are verified based on this comparison, the Engineer uses the quality control test results for acceptance of concrete pavement for air content. If your quality control test results are not verified based on this comparison, the Engineer uses the air content of core specimens determined by the authorized laboratory under ASTM C 457 for acceptance.

**40-1.01D(7)(a)(iii) Dowel and Tie Bar Placement**

For JPCP, drill cores under section 40-1.03P for the Department's acceptance testing.

The Engineer identifies which joint and dowel or tie bar are to be tested. Core each day's paving within 2 business days. Each dowel or tie bar test consists of 2 cores, 1 on each bar end to expose both ends and allow measurement.

If the tests indicate dowel or tie bars are not placed within the specified tolerances or if there is unconsolidated concrete around the dowel or tie bars, core additional specimens identified by Engineer to determine the limits of unacceptable work.

#### **40-1.01D(7)(a)(iv) Thickness**

Drill cores under section 40-1.03P for the Department's acceptance testing in the primary area, which is the area placed in 1 day for each thickness. Core at locations determined by the Engineer and in the Engineer's presence.

Do not core until any grinding has been completed.

The core specimen diameter must be 4 inches. To identify the limits of concrete pavement deficient in thickness by more than 0.05 foot, you may divide primary areas into secondary areas. The Engineer measures cores under California Test 531 to the nearest 0.01 foot. Core at least 1 foot from existing, contiguous, and parallel concrete pavement not constructed as part of this Contract.

You may request the Engineer make additional thickness measurements and use them to determine the average thickness variation. The Engineer determines the locations with random sampling methods.

If each thickness measurement in a primary area is less than 0.05 foot deficient, the Engineer calculates the average thickness deficiency in that primary area. The Engineer uses 0.02 foot for a thickness difference more than 0.02 foot over the specified thickness.

For each thickness measurement in a primary area deficient by more than 0.05 foot, the Engineer determines a secondary area where the thickness deficiency is more than 0.05 foot. The Engineer determines this secondary area by measuring the thickness of each concrete pavement slab adjacent to the measurement found to be more than 0.05 foot deficient. The Engineer continues to measure the thickness until an area that is bound by slabs with thickness deficient by 0.05 foot or less is determined.

Slabs without bar reinforcement are defined by the areas bound by longitudinal and transverse joints and concrete pavement edges. Slabs with bar reinforcement are defined by the areas bound by longitudinal joints and concrete pavement edges and 15-foot lengths. Secondary area thickness measurements in a slab determine that entire slab's thickness.

The Engineer measures the remaining primary area thickness after removing the secondary areas from consideration for determining the average thickness deficiency.

#### **40-1.01D(7)(a)(v)–40-1.01D(7)(a)(ix) Reserved**

#### **40-1.01D(7)(b) Acceptance Criteria**

##### **40-1.01D(7)(b)(i) General**

Reserved

##### **40-1.01D(7)(b)(ii) Modulus of Rupture**

For field qualification, the modulus of rupture at no later than 28 days must be at least:

1. 550 psi for each single beam
2. 570 psi for the average of 5 beams

For production, the modulus of rupture for the average of the individual test results of 2 beams aged for 28 days must be at least 570 psi.

##### **40-1.01D(7)(b)(iii) Air Content**

The air content must be within  $\pm 1.5$  percent of the specified value. If no value is specified, the air content must be within  $\pm 1.5$  percent of, the value used for your approved mix design.

**40-1.01D(7)(b)(iv) Bar Reinforcement**

In addition to requirements of Section 52, bar reinforcement must be more than 1/2 inch below the saw cut depth at concrete pavement joints.

**40-1.01D(7)(b)(v) Dowel Bar and Tie Bar Placement**

Tie bar placement must comply with the tolerances shown in the following table:

<b>Tie Bar Tolerance</b>	
Dimension	Tolerance
Horizontal and vertical skew	5 1/4 inch, max
Longitudinal translation	± 2 inch
Horizontal offset (embedment)	± 2 inch
Vertical depth	1. At least 1/2 inch below the bottom of the saw cut 2. When measured at any point along the bar, not less than 2 inches clear of the pavement's surface and bottom

NOTE: Tolerances are measured relative to the completed joint.

Dowel bar placement must comply with the tolerances shown in the following table:

<b>Dowel Bar Tolerances</b>	
Dimension	Tolerance
Horizontal offset	±1 inch
Longitudinal translation	±2 inch
Horizontal skew	5/8 inch, max
Vertical skew	5/8 inch, max
Vertical depth	The minimum distance measured from concrete pavement surface to any point along the top of dowel bar must be: DB + 1/2 inch  where: DB = one third of pavement thickness in inches, or the saw cut depth, whichever is greater  The maximum distance below the depth shown must be 5/8 inch.

NOTE: Tolerances are measured relative to the completed joint.

The Engineer determines the limits for removal and replacement.

**40-1.01D(7)(b)(vi) Pavement Thickness**

Concrete pavement thickness must not be deficient by more than 0.05 foot.

The minimum thickness is not reduced for specifications that may affect concrete pavement thickness such as allowable tolerances for subgrade construction.

The Engineer determines the areas of noncompliant pavement, the thickness deficiencies, and the limits where removal is required.

Pavement with an average thickness deficiency less than 0.01 foot is acceptable. If the thickness deficiency is 0.01 foot or more and less than 0.05 foot, you may request authorization to leave the pavement in place and accept a pay adjustment. If the deficiency is more than 0.05 foot the pavement must be removed and replaced.

#### **40-1.01D(7)(b)(vii) Pavement Smoothness**

Where testing with an IP is required, the pavement surface must have:

1. No areas of localized roughness with an IRI greater than 120 in/mi
2. MRI of 60 in/mi or less within a 0.1 mile section

Where testing with a straightedge is required, the pavement surface must not vary from the lower edge of the straightedge by more than:

1. 0.01 foot when the straightedge is laid parallel with the centerline
2. 0.02 foot when the straightedge is laid perpendicular to the centerline and extends from edge to edge of a traffic lane
3. 0.02 foot when the straightedge is laid within 24 feet of a pavement conform

#### **40-1.01D(7)(b)(viii) Coefficient of Friction**

Initial and final texturing must produce a coefficient of friction of at least 0.30. Do not open the pavement to traffic unless the coefficient of friction is at least 0.30.

#### **40-1.01D(7)(b)(ix)–40-1.01D(7)(b)(xii) Reserved**

### **40-1.02 MATERIALS**

#### **40-1.02A General**

Water for coring must comply with section 90.

Tack coat must comply with section 39.

#### **40-1.02B Concrete**

##### **40-1.02B(1) General**

PCC for pavement must comply with section 90-1 except as otherwise specified.

##### **40-1.02B(2) Cementitious Material**

Concrete must contain from 505 pounds to 675 pounds cementitious material per cubic yard. The specifications for reducing cementitious material content in section 90-1.02E(2) do not apply .

##### **40-1.02B(3) Aggregate**

Aggregate must comply with section 90-1.02C except the specifications for reduction in operating range and contract compliance for cleanness value and sand equivalent specified in section 90-1.02C(2) and section 90-1.02C(3) do not apply.

For coarse aggregate in high desert and high mountain climate regions, the loss must not exceed 25 percent when tested under California Test 211 with 500 revolutions.

For combined aggregate gradings, the difference between the percent passing the 3/8-inch sieve and the percent passing the no. 8 sieve must not be less than 16 percent of the total aggregate.

##### **40-1.02B(4) Air Entrainment**

The second paragraph of section 90-1.02I(2)(a) does not apply.

For a project shown in the low and south mountain climate regions, add air-entraining admixture to the concrete at the rate required to produce an air content of 4 percent in the freshly mixed concrete.

For a project shown in the high desert and high mountain climate regions, add air-entraining admixture to the concrete at the rate required to produce an air content of 6 percent in the freshly mixed concrete.

#### **40-1.02B(5)–40-1.02B(8) Reserved**

#### **40-1.02C Reinforcement, Bars, and Baskets**

##### **40-1.02C(1) Bar Reinforcement**

Bar reinforcement must be deformed bars.

If the project is not shown to be in high desert or any mountain climate region, bar reinforcement must comply with section 52.

If the project is shown to be in high desert or any mountain climate regions, bar reinforcement must be one of the following:

1. Epoxy-coated bar reinforcement under section 52-2.03B except bars must comply with either ASTM A 706/A 706M; ASTM A 996/A 996M; or ASTM A 615/A 615M, Grade 40 or 60. Bars must be handled under ASTM D 3963/D 3963M and section 52-2.02C.
2. Low carbon, chromium steel bar complying with ASTM A 1035/A 1035M

##### **40-1.02C(2) Dowel Bars**

Dowel bars must be plain bars. Fabricate, sample, and handle epoxy-coated dowel bars under ASTM D 3963/D 3963M and section 52-2.03C except each sample must be 18 inches long.

If the project is not shown to be in high desert or any mountain climate region, dowel bars must be one of the following:

1. Epoxy-coated bars. Bars must comply with ASTM A 615/A 615M, Grade 40 or 60. Epoxy coating must comply with either section 52-2.02B or 52-2.03B.
2. Stainless-steel bars. Bars must be descaled solid stainless-steel bars under ASTM A 955/A 955M, UNS Designation S31603 or S31803.
3. Low carbon, chromium-steel bars under ASTM A 1035/A 1035M.

If the project is shown to be in high desert or any mountain climate region, dowel bars must be one of the following:

1. Epoxy-coated bars. Bars must comply with ASTM A 615/A 615M, Grade 40 or 60. Epoxy coating must comply with section 52-2.03B.
2. Stainless-steel bars. Bars must be descaled solid stainless-steel bars under ASTM A 955/A 955M, UNS Designation S31603 or S31803.

##### **40-1.02C(3) Tie Bars**

Tie bars must be deformed bars.

If the project is not shown to be in high desert or any mountain climate region, tie bars must be one of the following:

1. Epoxy-coated bar reinforcement. Bars must comply with either section 52-2.02B or 52-2.03B except bars must comply with either ASTM A 706/A 706M; ASTM A 996/A 996M; or ASTM A 615/A 615M, Grade 40 or 60.
2. Stainless-steel bars. Bars must be descaled solid stainless-steel bars under ASTM A 955/A 955M, UNS Designation S31603 or S31803.
3. Low carbon, chromium-steel bars under ASTM A 1035/A 1035M.

If the project is shown to be in high desert or any mountain climate region, tie bars must be one of the following:

1. Epoxy-coated bar reinforcement. Bars must comply with section 52-2.03B except bars must comply with either ASTM A 706/A 706M; ASTM A 996/A 996M; or ASTM A 615/A 615M, Grade 40 or 60.
2. Stainless-steel bars. Bars must be descaled solid stainless-steel bars under ASTM A 955/A 955M, UNS Designation S31603 or S31803.

Fabricate, sample, and handle epoxy-coated tie bars under ASTM D 3963/D 3963M, section 52-2.02, or section 52-2.03.

Do not bend tie bars.

#### **40-1.02C(4) Dowel and Tie Bar Baskets**

For dowel and tie bar baskets, wire must comply with ASTM A 82/A 82M and be welded under ASTM A 185/A 185M, Section 7.4. The minimum wire-size no. is W10. Use either U-frame or A-frame shaped assemblies.

If the project is not shown to be in high desert or any mountain climate region, baskets may be epoxy-coated, and the epoxy coating must comply with either section 52-2.02B or 52-2.03B.

If the project is shown to be in high desert or any mountain climate region, wire for dowel bar and tie bar baskets must be one of the following:

1. Epoxy-coated wire complying with section 52-2.03B
2. Stainless-steel wire. Wire must be descaled solid stainless-steel. Wire must comply with (1) the chemical requirements in ASTM A 276/A 276M, UNS Designation S31603 or S31803 and (2) the tension requirements in ASTM A 1022/ A 1022M.

Handle epoxy-coated tie bar and dowel bar baskets under ASTM D 3963/D 3963M and either section 52-2.02 or 52-2.03.

Fasteners must be driven fasteners under ASTM F 1667. Fasteners on lean concrete base or HMA must have a minimum shank diameter of 3/16 inch and a minimum shank length of 2-1/2 inches. For asphalt treated permeable base or cement treated permeable base, the shank diameter must be at least 3/16 inch and the shank length must be at least 5 inches.

Fasteners, clips, and washers must have a minimum 0.2-mil thick zinc coating applied by either electroplating or galvanizing.

#### **40-1.02D Dowel Bar Lubricant**

Dowel bar lubricant must be petroleum paraffin based or a curing compound. Paraffin-based lubricant must be Dayton Superior DSC BB-Coat or Valvoline Tectyl 506 or an approved equal and must be factory-applied. Curing compound must be curing compound no. 3.

#### **40-1.02E Joint Filler**

Joint filler for isolation joint must be preformed expansion joint filler for concrete (bituminous type) under ASTM D 994.

#### **40-1.02F Curing Compound**

Curing compound must be curing compound no. 1 or 2.

#### **40-1.02G Nonshrink Hydraulic Cement Grout**

Nonshrink hydraulic cement grout must comply with ASTM C 1107/C 1107M. Clean, uniform, rounded aggregate filler may be used to extend the grout. Aggregate filler must not exceed 60 percent of the grout mass or the maximum recommended by the manufacturer, whichever is less. Aggregate filler moisture content must not exceed 0.5 percent when tested under California Test 223 or California Test 226. Aggregate filler tested under California Test 202 must comply with the grading shown in the following table:

#### **Aggregate Filler Grading**

Sieve size	Percentage passing
1/2-inch	100
3/8-inch	85–100
No. 4	10–30
No. 8	0–10
No. 16	0–5

#### **40-1.02H Temporary Roadway Pavement Structure**

Temporary roadway pavement structure must comply with section 41-1.02E.

#### **40-1.02I–40-1.02N Reserved**

#### **40-1.03 CONSTRUCTION**

##### **40-1.03A General**

Aggregate and bulk cementitious material must be proportioned by weight by means of automatic proportioning devices of approved types.

For widenings and lane reconstruction, construct only the portion of pavement where the work will be completed during the same lane closure. If you fail to complete the construction during the same lane closure, construct a temporary pavement structure under section 41-1.

##### **40-1.03B Water Supply**

Before placing concrete pavement, develop enough water supply.

##### **40-1.03C Test Strips**

Construct a test strip for each type of pavement with a quantity of more than 2,000 cu yd. Obtain authorization of the test strip before constructing pavement. Test strips must be:

1. 700 to 1,000 feet long
2. Same width as the planned paving, and
3. Constructed using the same equipment proposed for paving

The Engineer selects from 6 to 12 core locations for dowel bars and up to 6 locations for tie bars per test strip. If you use mechanical dowel bar inserters, the test strip must demonstrate they do not leave voids, segregations, or surface irregularities such as depressions, dips, or high areas.

Test strips must comply with the acceptance criteria for:

1. Smoothness, except IP is not required
2. Dowel bars and tie bars placement
3. Pavement thickness
4. Final finishing, except the coefficient of friction is not considered

Allow 3 business days for evaluation. If the test strip is noncompliant, stop paving and submit a plan for changed materials, methods, or equipment. Allow 3 business days for authorization of the plan. Construct another test strip per the authorized plan.

Remove and dispose of noncompliant test strips.

If the test strip is compliant except for smoothness and final finishing, you may grind the surface. After grinding retest the test strip smoothness under section 40-1.01D(6)(c).

If the test strip is compliant for smoothness and thickness, construction of an additional test strip is not required and the test strip may remain in place.

Construct additional test strips if you:



1. Propose different paving equipment including:
  - 1.1. Paver
  - 1.2. Dowel bar inserter
  - 1.3. Tie bar inserter
  - 1.4. Tining
  - 1.5. Curing equipment
2. Change concrete mix proportions

You may request authorization to eliminate the test strip if you use paving equipment and personnel from a Department project (1) for the same type of pavement and (2) completed within the past 12 months. Submit supporting documents and previous project information with your request.

#### **40-1.03D Joints**

##### **40-1.03D(1) General**

Do not bend tie bars or reinforcement in existing concrete pavement joints.

For contraction joints and isolation joints, saw cut a groove with a power-driven saw. After cutting, immediately wash slurry from the joint with water at less than 100 psi pressure.

Keep joints free from foreign material including soil, gravel, concrete, and asphalt. To keep foreign material out of the joint, you may use filler material. Filler material must not react adversely with the concrete or cause concrete pavement damage. After sawing and washing, install filler material that keeps moisture in the adjacent concrete during the 72 hours after paving. If you install filler material, the specifications for spraying the sawed joint with additional curing compound in section 40-1.03K does not apply. If using absorptive filler material, moisten the filler immediately before or after installation.

##### **40-1.03D(2) Construction Joints**

Construction joints must be vertical.

Before placing fresh concrete against hardened concrete, existing concrete pavement, or structures, apply curing compound no. 1 or 2 to the vertical surface of the hardened concrete, existing concrete pavement, or structures and allow it to dry.

At joints between concrete pavement and HMA, apply tack coat between the concrete pavement and HMA.

Use a metal or wooden bulkhead to form transverse construction joints. If dowel bars are described, the bulkhead must allow dowel bar installation.

##### **40-1.03D(3) Contraction Joints**

Saw contraction joints before cracking occurs and after the concrete is hard enough to saw without spalling, raveling, or tearing.

Saw cut using a power saw with a diamond blade. After cutting, immediately wash slurry from the joint with water at less than 100 psi pressure.

Except for longitudinal joints parallel to a curving centerline, transverse and longitudinal contraction joints must not deviate by more than 0.1 foot from either side of a 12-foot straight line

Cut transverse contraction joints within 0.5 foot of the spacing described. Adjust spacing if needed such that slabs are at least 10 feet long.

For widenings, do not match transverse contraction joints with existing joint spacing or skew unless otherwise described.

Cut transverse contraction joints straight across the full concrete pavement width, between isolation joints and edges of pavement. In areas of converging and diverging pavements, space transverse contraction joints such that the joint is continuous across the maximum pavement width. Longitudinal contraction joints must be parallel with the concrete pavement centerline, except when lanes converge or diverge.

#### **40-1.03D(4) Isolation Joints**

Before placing concrete at isolation joints, prepare the existing concrete face and secure joint filler. Prepare by saw cutting and making a clean flat vertical surface. Make the saw cut the same depth as the depth of the new pavement.

#### **40-1.03E Bar Reinforcement**

Place bar reinforcement under section 52.

#### **40-1.03F Dowel Bar Placement**

If using curing compound as lubricant, apply the curing compound to dowels in 2 separate applications. Lubricate each dowel bar entirely before placement. The last application must be applied not more than 8 hours before placing the dowel bars. Apply each curing compound application at a rate of 1 gallon per 150 square feet.

Install dowel bars using one of the following methods:

1. Drill and bond bars. Comply with section 41-10.
2. Mechanical insertion. Eliminate evidence of the insertion by reworking the concrete over the dowel bars.
3. Dowel bar baskets. Anchor baskets with fasteners. Use at least 1 fastener per foot for basket sections. Baskets must be anchored at least 200 feet in advance of the concrete placement activity unless your waiver request is authorized. If requesting a waiver, describe the construction limitations or restricted access preventing the advanced anchoring. After the baskets are anchored and before the concrete is placed, cut and remove temporary spacer wires and demonstrate the dowel bars do not move from their specified depth and alignment during concrete placement.

If dowel bars are noncompliant, stop paving activities, demonstrate your correction, and obtain verbal approval from the Engineer.

#### **40-1.03G Tie Bar Placement**

Install tie bars at longitudinal joints using one of the following methods:

1. Drill and bond bars. Comply with section 41-10.
2. Insert bars. Mechanically insert tie bars into plastic slip-formed concrete before finishing. Inserted tie bars must have full contact between the bar and the concrete. Eliminate evidence of the insertion by reworking the concrete over the tie bars.
3. Threaded couplers. Threaded tie bar splice couplers must be fabricated from deformed bar reinforcement and free of external welding or machining.
4. Tie bar baskets. Anchor baskets at least 200 feet in advance of pavement placement activity. If you request a waiver, describe the construction limitations or restricted access preventing the advanced anchoring. After the baskets are anchored and before paving, demonstrate the tie bars do not move from their specified depth and alignment during paving. Use fasteners to anchor tie bar baskets.

If tie bars are noncompliant, stop paving activities, demonstrate your correction, and obtain verbal approval from the Engineer.

#### **40-1.03H Placing Concrete**

##### **40-1.03H(1) General**

Immediately prior to placing concrete, the surface to receive concrete must be:

1. In compliance with specified requirements, including compaction and elevation tolerances
2. Free of loose and extraneous material
3. Uniformly moist, but free of standing or flowing water

Place concrete pavement with stationary side forms or slip-form paving equipment.

Place consecutive concrete loads within 30 minutes of each other. Construct a transverse construction joint when concrete placement is interrupted by more than 30 minutes. The transverse construction joint

must coincide with the next contraction joint location, or you must remove fresh concrete pavement to the preceding transverse joint location.

Place concrete pavement in full slab widths separated by construction joints or monolithically in multiples of full lane widths with a longitudinal contraction joint at each traffic lane line.

Do not retemper concrete.

If the concrete pavement surface width is constructed as specified, you may construct concrete pavement sides on a batter not flatter than 6:1 (vertical:horizontal).

#### **40-1.03H(2) Paving Adjacent to Existing Concrete Pavement**

Where pavement is placed adjacent to existing concrete pavement:

1. Grinding adjacent pavement must be completed before placing the pavement
2. Use paving equipment with padded crawler tracks or rubber-tired wheels with enough offset to prevent damage
3. Match pavement grade with the elevation of existing concrete pavement after grinding.

#### **40-1.03H(3) Concrete Pavement Transition Panel**

For concrete pavement placed in a transition panel, texture the surface with a drag strip of burlap, broom, or spring steel tine device that produces scoring in the finished surface. Scoring must be either parallel or transverse to the centerline. Texture at the time that produces the coarsest texture.

#### **40-1.03H(4) Stationary Side Form Construction**

Stationary side forms must be straight and without defects including warps, bends, and indentations. Side forms must be metal except at end closures and transverse construction joints where other materials may be used.

You may build up side forms by attaching a section to the top or bottom. If attached to the top of metal forms, the attached section must be metal.

The side form's base width must be at least 80 percent of the specified concrete pavement thickness.

Side forms including interlocking connections with adjoining forms must be rigid enough to prevent springing from subgrading and paving equipment and concrete pressure.

Construct subgrade to final grade before placing side forms. Side forms must bear fully on the foundation throughout their length and base width. Place side forms to the specified grade and alignment of the finished concrete pavement's edge. Support side forms during concrete placing, compacting, and finishing.

After subgrade work is complete and immediately before placing concrete, true side forms and set to line and grade for a distance that avoids delays due to form adjustment.

Clean and oil side forms before each use.

Side forms must remain in place for at least 1 day after placing concrete and until the concrete pavement edge no longer requires protection from the forms.

Spread, screed, shape, and consolidate concrete with 1 or more machines. The machines must uniformly distribute and consolidate the concrete. The machines must operate to place the concrete pavement to the specified cross section with minimal hand work.

Consolidate the concrete without segregation. If vibrators are used:

1. The vibration rate must be at least 3,500 cycles per minute for surface vibrators and 5,000 cycles per minute for internal vibrators
2. Amplitude of vibration must cause perceptible concrete surface movement at least 1 foot from the vibrating element
3. Use a calibrated tachometer for measuring frequency of vibration

4. Vibrators must not rest on side forms or new concrete pavement
5. Power to vibrators must automatically cease when forward or backward motion of the paving machine is stopped
6. Uniformly consolidate the concrete across the paving width including adjacent to forms by using high-frequency internal vibrators within 15 minutes of depositing concrete on the subgrade
7. Do not shift the mass of concrete with vibrators.

#### **40-1.03H(5) Slip-Form Construction**

If slip-form construction is used, spread, screed, shape, and consolidate concrete to the specified cross section with slip-form machines and minimal hand work. Slip-form paving machines must be equipped with traveling side forms and must not segregate the concrete.

Do not deviate from the specified concrete pavement alignment by more than 0.1 foot.

Slip-form paving machines must use high frequency internal vibrators to consolidate concrete. You may mount vibrators with their axes parallel or normal to the concrete pavement alignment. If mounted with axes parallel to the concrete pavement alignment, space vibrators no more than 2.5 feet measured center to center. If mounted with axes normal to the concrete pavement alignment, space the vibrators with a maximum 0.5-foot lateral clearance between individual vibrators.

Each vibrator must have a vibration rate from 5,000 to 8,000 cycles per minute. The amplitude of vibration must cause perceptible concrete surface movement at least 1 foot from the vibrating element. Use a calibrated tachometer to measure frequency of vibration.

#### **40-1.03I Edge Treatment**

Construct edge treatments as shown. Regrade when required for the preparation of safety edge areas.

Sections 40-1.03J(2) and 40-1.03J(3) do not apply to safety edges.

For safety edges placed after the concrete pavement is complete, concrete may comply with the requirements for minor concrete.

For safety edges placed after the concrete pavement is complete, install connecting bar reinforcement under section 52.

Saw cutting or grinding may be used to construct safety edges.

For safety edges, the angle of the slope must not deviate by more than  $\pm 5$  degrees from the angle shown. Measure the angle from the plane of the adjacent finished pavement surface.

#### **40-1.03J Finishing**

##### **40-1.03J(1) General**

Reserved

##### **40-1.03J(2) Preliminary Finishing**

###### **40-1.03J(2)(a) General**

Preliminary finishing must produce a smooth and true-to-grade finish. After preliminary finishing, mark each day's paving with a stamp. The stamp must be authorized before paving starts. The stamp must be approximately 1 by 2 feet in size. The stamp must form a uniform mark from 1/8 to 1/4 inch deep. Locate the mark  $20 \pm 5$  feet from the transverse construction joint formed at each day's start of paving and  $1 \pm 0.25$  foot from the pavement's outside edge. The stamp mark must show the month, day, and year of placement and the station of the transverse construction joint. Orient the stamp mark so it can be read from the pavement's outside edge.

Do not apply water to the pavement surface before float finishing.

###### **40-1.03J(2)(b) Stationary Side Form Finishing**

If stationary side form construction is used, give the pavement a preliminary finish by the machine float method or the hand method.

If using the machine float method:

1. Use self-propelled machine floats.
2. Determine the number of machine floats required to perform the work at a rate equal to the pavement delivery rate. If the time from paving to machine float finishing exceeds 30 minutes, stop pavement delivery. When machine floats are in proper position, you may resume pavement delivery and paving.
3. Run machine floats on side forms or adjacent pavement lanes. If running on adjacent pavement, protect the adjacent pavement surface under section 40-1.03L. Floats must be hardwood, steel, or steel-shod wood. Floats must be equipped with devices that adjust the underside to a true flat surface.

If using the hand method, finish pavement smooth and true to grade with manually operated floats or powered finishing machines.

#### **40-1.03J(2)(c) Slip-Form Finishing**

If slip-form construction is used, the slip-form paver must give the pavement a preliminary finish. You may supplement the slip-form paver with machine floats.

Before the pavement hardens, correct pavement edge slump in excess of 0.02 foot exclusive of edge rounding.

#### **40-1.03J(3) Final Finishing**

After completing preliminary finishing, round the edges of the initial paving widths to a 0.04-foot radius. Round transverse and longitudinal construction joints to a 0.02-foot radius.

Before curing, texture the pavement. Perform initial texturing with a burlap drag or broom device that produces striations parallel to the centerline. Perform final texturing with a steel-tined device that produces grooves parallel with the centerline.

Construct longitudinal grooves with a self-propelled machine designed specifically for grooving and texturing pavement. The machine must have tracks to maintain constant speed, provide traction, and maintain accurate tracking along the pavement surface. The machine must have a single row of rectangular spring steel tines. The tines must be from 3/32 to 1/8 inch wide, on 3/4-inch centers, and must have enough length, thickness, and resilience to form grooves approximately 3/16 inch deep. The machine must have horizontal and vertical controls. The machine must apply constant down pressure on the pavement surface during texturing. The machines must not cause raveling.

Construct grooves over the entire pavement width in a single pass except do not construct grooves 3 inches from the pavement edges and longitudinal joints. Final texture must be uniform and smooth. Use a guide to properly align the grooves. Grooves must be parallel and aligned to the pavement edge across the pavement width. Grooves must be from 1/8 to 3/16 inch deep after the pavement has hardened.

For irregular areas and areas inaccessible to the grooving machine, you may hand-construct grooves using the hand method. Hand-constructed grooves must comply with the specifications for machine-constructed grooves.

For ramp termini, use heavy brooming normal to the ramp centerline to produce a coefficient of friction of at least 0.35 determined on the hardened surface under California Test 342.

#### **40-1.03K Curing**

Cure the concrete pavement's exposed area under section 90-1.03B using the waterproof membrane method or curing compound method. If using the curing compound method use curing compound no. 1 or 2. When side forms are removed within 72 hours of the start of curing, also cure the concrete pavement edges.

Apply curing compound with mechanical sprayers. Reapply curing compound to saw cuts and disturbed areas.

#### **40-1.03L Protecting Concrete Pavement**

Protect concrete pavement under section 90-1.03C.

Maintain the concrete pavement surface temperature at not less than 40 degrees F for the initial 72 hours.

Protect the concrete pavement surface from activities that cause damage and reduce texture and coefficient of friction. Do not allow soil, gravel, petroleum products, concrete, or asphalt mixes on the concrete pavement surface.

Construct crossings for traffic convenience. If authorized, you may use RSC for crossings. Do not open crossings until the Department determines that the pavement's modulus of rupture is at least 550 psi under California Test 523 or California Test 524.

Do not open concrete pavement to traffic or use equipment on the concrete pavement for 10 days after paving nor before the concrete has attained a modulus of rupture of 550 psi based on Department's testing except:

1. If the equipment is for sawing contraction joints
2. If authorized, one side of paving equipment's tracks may be on the concrete pavement after a modulus of rupture of 350 psi has been attained, provided:
  - 2.1. Unit pressure exerted on the concrete pavement by the paver does not exceed 20 psi
  - 2.2. You change the paving equipment tracks to prevent damage or the paving equipment tracks travel on protective material such as planks
  - 2.3. No part of the track is closer than 1 foot from the concrete pavement's edge

If concrete pavement damage including visible cracking occurs, stop operating paving equipment on the concrete pavement and repair the damage.

#### **40-1.03M Early Use of Concrete Pavement**

If requesting early use of concrete pavement:

1. Furnish molds and machines for modulus of rupture testing
2. Sample concrete
3. Fabricate beam specimens
4. Test for modulus of rupture under California Test 523

If you request early use, concrete pavement must have a modulus of rupture of at least 350 psi. Protect concrete pavement under section 40-1.03L.

#### **40-1.03N Reserved**

#### **40-1.03O Shoulder Rumble Strip**

##### **40-1.03O(1) General**

Construct shoulder rumble strips by rolling or grinding indentations in new concrete pavement.

Do not construct shoulder rumble strips on structures or approach slabs.

Construct rumble strips within 2 inches of the specified alignment. Rumble strip equipment must be equipped with a sighting device enabling the operator to maintain the rumble strip alignment.

Indentations must not vary from the specified dimensions by more than 1/16 inch in depth nor more than 10 percent in length and width.

Grind or remove and replace noncompliant rumble strip indentations at locations determined by the Engineer. Ground surface areas must be neat and uniform in appearance.

Remove grinding residue under section 42-1.03B.

#### **40-1.03O(2) Rolled-In Indentations**

Construct rolled-in indentations before final concrete set. Indentation construction must not displace adjacent concrete.

#### **40-1.03O(3) Ground-In Indentations**

Concrete pavement must be hardened before grinding rumble strips indentations. Do not construct indentations until the following occurs:

1. 10 days elapse after concrete placement
2. Concrete has developed a modulus of rupture of 550 psi determined under California Test 523,

#### **40-1.03P Drilling Cores**

Drill concrete pavement cores under ASTM C 42/C 42M. Use diamond impregnated drill bits.

Clean, dry, and fill core holes with hydraulic cement grout (nonshrink) or pavement concrete. Coat the core hole walls with epoxy adhesive for bonding new concrete to old concrete under section 95. Finish the backfill to match the adjacent surface elevation and texture.

#### **40-1.03Q Pavement Repair and Replacement**

##### **40-1.03Q(1) General**

If surface raveling or full-depth cracks occur within one year of Contract acceptance, repair or replace the pavement under section 6-3.06.

Repair and replace pavement in the following sequence:

1. Replace pavement
2. Repair spall, ravel, and working cracks
3. Correct smoothness and coefficient of friction
4. Treat partial depth cracks
5. Replace damaged joint seals under section 41-5

In addition to removing pavement for other noncompliance, remove and replace JPCP slabs that:

1. Have one or more full depth crack
2. Have raveled surfaces such that either:
  - 2.1. Combined raveled areas are more than 5 percent of the total slab area
  - 2.2. Single area is more than 4 sq ft

Remove and replace JPCP 3 feet on both sides of a joint with a rejected dowel bar.

##### **40-1.03Q(2) Spall and Ravel Repair**

Repair spalled or raveled areas that are:

1. Deeper than 0.05 foot
2. Wider than 0.10 foot
3. Longer than 0.3 foot

Repairs must comply with section 41-4 and be completed before opening pavement to traffic.

##### **40-1.03Q(3) Crack Repair**

Treat partial depth cracks for JPCP under section 41-3.

If the joints are sealed, repair working cracks by routing and sealing. Use a powered rotary router mounted on wheels, with a vertical shaft and a routing spindle that casters as it moves along the crack. Form a reservoir 3/4 inch deep by 3/8 inch wide in the crack. Equipment must not cause raveling nor spalling.

Treat the contraction joint adjacent to the working crack by either:

1. Epoxy resin under ASTM C 881/C 881M, Type IV, Grade 2
2. Pressure injecting epoxy resin under ASTM C 881/C881M, Type IV, Grade 1

#### **40-1.03Q(4) Smoothness and Friction Correction**

Correct pavement that is noncompliant for:

1. Smoothness by grinding under section 42-3
2. Coefficient of friction by grooving or grinding under section 42

Do not start corrective work until:

1. Pavement has cured 10 days
2. Pavement has at least a 550 psi modulus of rupture
3. Your corrective method is authorized

Correct the entire lane width. Begin and end grinding at lines perpendicular to the roadway centerline. The corrected area must have a uniform texture and appearance.

If corrections are made within areas where testing with an IP is required, retest the entire lane length with an IP under sections 40-1.01D(6)(c) and 40-1.01D(7)(b)(vii).

If corrections are made within areas where testing with a 12-foot straightedge is required, retest the corrected area with a straightedge under sections 40-1.01D(6)(c) and 40-1.01D(7)(b)(vii).

Allow 25 days for the Department's coefficient of friction retesting.

#### **40-1.03R–40-1.03U Reserved**

#### **40-1.04 PAYMENT**

The payment quantity for pavement is based on the dimensions shown.

The deduction for pavement thickness deficiency in each primary area is shown in the following table:

<b>Deduction for Thickness Deficiency</b>	
Average thickness deficiency (foot) <sup>a</sup>	Deduction(\$/sq yd)
0.01	0.90
0.02	2.30
0.03	4.10
0.04	6.40
0.05	9.11

<sup>a</sup>Values greater than 0.01 are rounded to the nearest 0.01 foot.

Shoulder rumble strips are measured by the station along each shoulder on which the rumble strips are constructed without deductions for gaps between indentations.

If the initial cores show that dowel bars or tie bars are within alignment tolerances and the Engineer orders more dowel or tie bar coring, the additional cores are paid for as change order work.

The Department does not pay for additional coring to check dowel or tie bar alignment which you request.

If the Engineer accepts a test strip and it remains as part of the paving surface, the test strip is paid for as the type of pavement involved.

If the curvature of a slab affects tie bar spacing and additional tie bars are required, no additional payment is made for the additional tie bars.

Payment for grinding existing pavement is not included in the payment for the type of pavement involved.



## **40-2 CONTINUOUSLY REINFORCED CONCRETE PAVEMENT**

### **40-2.01 GENERAL**

#### **40-2.01A Summary**

Section 40-2 includes specifications for constructing CRCP.

Terminal joints include saw cutting, dowel bars, drill and bond dowel bars, support slab, support slab reinforcement, tack coat, and temporary hot mix asphalt.

Expansion joints include polystyrene, support slab, support slab reinforcement, dowel bars, drill and bond dowel bars, and bond breaker.

Wide flange beam terminals include polyethylene foam, support slab, and support slab reinforcement.

Pavement anchors include cross drains, anchor reinforcement, filter fabric, and permeable material.

#### **40-2.01B Definitions**

Reserved

#### **40-2.01C Submittals**

Reserved

#### **40-2.01D Quality Control and Assurance**

##### **40-2.01D(1) General**

Reserved

##### **40-2.01D(2) Testing for Coefficient of Thermal Expansion**

For field qualification, test coefficient of thermal expansion under AASHTO T 336. The coefficient of thermal expansion must not exceed 6.0 microstrain/degree Fahrenheit.

### **40-2.02 MATERIALS**

#### **40-2.02A General**

Class 1 permeable material, filter fabric, and slotted plastic pipe cross drain as shown for pavement anchors must comply with section 68-3.

#### **40-2.02B Concrete**

Concrete for terminal joints, support slabs, and pavement anchors must comply with section 40-1.02.

#### **40-2.02C Transverse Bar Assembly**

Instead of transverse bar and other support devices, you may use transverse bar assemblies to support longitudinal bar. Bar reinforcement and wire must comply with section 40-1.02C.

#### **40-2.02D Wide Flange Beam**

Wide flange beams and studs must be either rolled structural steel shapes under ASTM A 36/A 36M or structural steel under ASTM A 572/A 572M.

#### **40-2.02E Joints**

Joint seals for wide flange beam terminals must comply with section 51-2.02.

Joint seals for transverse expansion joints must comply with section 51-2.02.

Expanded polystyrene for transverse expansion joints must comply with section 51-2.01B(1).

### **40-2.03 CONSTRUCTION**

#### **40-2.03A General**

Reserved

#### **40-2.03B Test Strips**

Comply with section 40-1.03C except during the evaluation, the Engineer visually checks reinforcement, dowel and tie bar placement.

#### **40-2.03C Construction Joints**

Transverse construction joints must be perpendicular to the lane line. Construct joints to allow for lap splices of the longitudinal bar. Comply with the lap splice lengths shown for CRCP.

Clean construction joint surfaces before placing fresh concrete against the joint surfaces. Remove surface laitance, curing compound, and other foreign materials.

#### **40-2.03D Bar Reinforcement**

Place bar reinforcement under section 52-1.03D, except you may request to use plastic chairs. Plastic chairs will only be considered for support directly under the transverse bars. Your request to use plastic chairs must include a sample of the plastic chair, the manufacturer's written recommendations for the applicable use and load capacity, chair spacing, and your calculation for the load on a chair for the area of bar reinforcement sitting on it. Vertical and lateral stability of the bar reinforcement and plastic chairs must be demonstrated during construction of the test strip. Obtain authorization before using the proposed plastic chairs for work after the test strip is accepted.

For transverse bar in a curve with a radius under 2,500 feet, place the reinforcement in a single continuous straight line across the lanes and aligned with the radius point as shown.

#### **40-2.03E Wide Flange Beams**

Weld stud ends with an electric arc welder completely fusing the studs to the wide flange beam. Replace studs dislodged in shipping or that can be dislodged with a hammer.

#### **40-2.03F Repair and Replacement**

##### **40-2.03F(1) General**

Requirements for repair of cracks under section 40-1.03Q do not apply to CRCP. High molecular weight methacrylate is not to be applied to cracks in CRCP.

New CRCP will be monitored for 1 year from contract acceptance or relief from maintenance, whichever is less. CRCP that develops raveling areas of 6 inches by 6 inches or greater will require partial depth repair under section 6-3.06. CRCP that develops one or more full-depth transverse cracks with faulting greater than 0.25 inch or one or more full-depth longitudinal cracks with faulting greater 0.50 inch will require full depth repair.

##### **40-2.03F(2) Partial Depth Repair**

Partial depth repair must comply with section 41-4 except:

1. Determine a rectangular boundary which extends 6 inches beyond the damaged area. The limits of saw depth must be between 2 inches from the surface to 1/2 inch above the longitudinal bars.
2. If each length of the repair boundaries is equal to or greater than 3 ft, additional reinforcement is needed for the repair area. Submit a plan for authorization before starting the repair.

##### **40-2.03F(3) Full Depth Repair**

###### **40-2.03F(3)(a) General**

Removal of CRCP must be full depth except for portion of reinforcement to remain. Provide continuity of reinforcement. Comply with section 52-6. Submit a plan for authorization, before starting the repair. Do not damage the base, concrete and reinforcement to remain. Place concrete in the removal area.

###### **40-2.03F(3)(b) Transverse Cracks**

Make initial full-depth transverse saw cuts normal to the lane line a distance of 3 feet on each side of the transverse crack.

#### **40-2.03F(3)(c) Longitudinal Cracks**

Remove the cracked area normal to the lane line for the full width of the lane a distance of 1 foot beyond the ends of the crack. You may propose alternate limits with your repair plan for authorization.

#### **40-2.03G Reserved**

#### **40-2.04 PAYMENT**

Not Used

### **40-3 RESERVED**

## **40-4 JOINTED PLAIN CONCRETE PAVEMENT**

### **40-4.01 GENERAL**

#### **40-4.01A Summary**

Section 40-4 includes specifications for constructing JPCP.

#### **40-4.01B Definitions**

Reserved

#### **40-4.01C Submittals**

##### **40-4.01C(1) General**

Reserved

##### **40-4.01C(2) Early Age Crack Mitigation System**

At least 24 hours before each paving shift, submit the following information as an informational submittal:

1. Early age stress and strength predictions
2. Scheduled sawing and curing activities
3. Contingency plan if cracking occurs

##### **40-4.01C(3)–40-4.01C(8) Reserved**

#### **40-4.01D Quality Control and Assurance**

##### **40-4.01D(1) General**

Reserved

##### **40-4.01D(2) Quality Control Plan**

The QC plan must include a procedure for identifying transverse contraction joint locations relative to the dowel bars longitudinal center and a procedure for consolidating concrete around the dowel bars.

##### **40-4.01D(3) Early Age Crack Mitigation System**

For JPCP, develop and implement a system for predicting stresses and strength during the initial 72 hours after paving. The system must include:

1. Subscription to a weather service to obtain forecasts for wind speed, ambient temperatures, humidity, and cloud cover
2. Portable weather station with an anemometer, temperature and humidity sensors, located at the paving site
3. Early age concrete pavement stress and strength prediction plan
4. Analyzing, monitoring, updating, and reporting the system's predictions

##### **40-4.01D(4)–40-4.01D(9) Reserved**

### **40-4.02 MATERIALS**

Not Used

#### **40-4.03 CONSTRUCTION**

##### **40-4.03A General**

Transverse contraction joints on a curve must be on a single straight line through the curve's radius point. If transverse joints do not align in a curve, drill a full depth 2" diameter hole under ASTM C 42/C 42M where the joint meets the adjacent slab. Fill the hole with joint filler. If joints are not sealed, avoid joint filler material penetration into the joint.

##### **40-4.03B Repair and Replacement**

If replacing concrete, saw cut and remove to full depth.

Saw cut full slabs at the longitudinal and transverse joints. Saw cut partial slabs at joints and at locations determined by the Engineer. Saw cut must be vertical.

After lifting the slab, paint the cut ends of dowels and tie bars.

Construct transverse and longitudinal construction joints between the new slab and existing concrete. If slabs are constrained at both longitudinal edges by existing pavement, use dowel bars instead of tie bars. For longitudinal joints, offset dowel bar holes from original tie bars by 3 inches. For transverse joints, offset dowel bar holes from the original dowel bar by 3 inches.

Drill and bond bars to the existing concrete. Comply with section 41-10. Clean the faces of joints and underlying base from loose material and contaminants. Coat the faces with a double application of pigmented curing compound under section 28-2.03F. For partial slab replacements, place preformed sponge rubber expansion joint filler at new transverse joints under ASTM D 1752. Place concrete in the removal area.

##### **40-4.03C–40-4.03G Reserved**

##### **40-4.04 PAYMENT**

Not Used

#### **40-5 JOINTED PLAIN CONCRETE PAVEMENT WITH RAPID STRENGTH CONCRETE**

Reserved

#### **40-6–40-15 RESERVED**

AA

### **41 CONCRETE PAVEMENT REPAIR**

04-18-14

Replace the headings and paragraphs in section 41 with:

07-19-13

#### **41-1 GENERAL**

##### **41-1.01 GENERAL**

##### **41-1.01A Summary**

Section 41-1 includes general specifications for repairing concrete pavement.

Dowel bars must comply with section 40-1.

##### **41-1.01B Definitions**

Reserved

##### **41-1.01C Submittals**

At least 15 days before delivering fast-setting concrete, polyester resin binder, or bonding agent to the job site, submit the manufacturer's recommendations, instructions, and MSDS. Notify the Engineer if polyester resin binder will be stored in containers over 55 gallons.

#### **41-1.01D Quality Control and Assurance**

##### **41-1.01D(1) General**

Before using polyester concrete, allow 14 days for sampling and testing of the polyester resin binder.

##### **41-1.01D(2) Reserved**

#### **41-1.02 MATERIALS**

##### **41-1.02A General**

Water for washing aggregates, mixing concrete, curing, and coring must comply with section 90-1.02D.

Use the minimum amount of water to produce workable concrete and comply with the manufacturer's instructions.

##### **41-1.02B Fast-Setting Concrete**

Fast-setting concrete must be one of the following:

1. Magnesium phosphate concrete that is either:
  - 1.1. Single component water activated
  - 1.2. Dual component with a prepackaged liquid activator
2. Modified high-alumina based concrete
3. Portland cement based concrete

Fast-setting concrete must be stored in a cool and dry environment.

If used, the addition of retarders must comply with the manufacturer's instructions.

You may use any accelerating chemical admixtures complying with ASTM C494/C494M, Type C and section 90-1.02E.

Fast-setting concrete properties must have the values shown in the following table:

<b>Fast-Setting Concrete</b>		
Property	Test method	Value
Compressive strength <sup>a</sup> (psi, min)		
at 3 hours	California Test 551	3,000
at 24 hours	California Test 551	5,000
Flexural strength <sup>a</sup> (psi, min, at 24 hours)	California Test 551	500
Bond strength <sup>a</sup> (psi, min, at 24 hours)		
Saturated surface dry concrete	California Test 551	300
Dry concrete	California Test 551	400
Water absorption (% , max)	California Test 551	10
Abrasion resistance <sup>a</sup> (g, max, at 24 hours)	California Test 550	25
Drying shrinkage (% , max, at 4 days)	ASTM C596	0.13
Water soluble chlorides <sup>b</sup> (% , max, by weight)	California Test 422	0.05
Water soluble sulfates <sup>b</sup> (% , max, by weight)	California Test 417	0.25
Thermal stability (% , min)	California Test 553	90

<sup>a</sup>Perform test with aggregate filler if used.

<sup>b</sup>Test must be performed on a cube specimen, fabricated under California Test 551, cured at least 14 days, and then pulverized to 100% passing the no. 50 sieve.

Aggregate filler may be used to extend prepackaged concrete. Aggregate filler must:

1. Be clean and uniformly rounded.
2. Have a moisture content of 0.5-percent by weight or less when tested under California Test 226.
3. Comply with sections 90-1.02C(2) and 90-1.02C(3).
4. Not exceed 50 percent of the concrete volume or the maximum recommended by the fast-setting concrete manufacturer, whichever is less.

When tested under California Test 202, aggregate filler must comply with the grading in the following table:

<b>Aggregate Filler Grading</b>	
Sieve size	Percentage passing
3/8 inch	100
No. 4	50–100
No. 16	0–5

#### **41-1.02C Polyester Concrete**

Polyester concrete consists of polyester resin binder and dry aggregate. The polyester resin binder must be an unsaturated isophthalic polyester-styrene copolymer.

Polyester resin binder properties must have the values shown in the following table:

<b>Polyester Resin Binder</b>		
Property	Test method	Value
Viscosity <sup>a</sup> (Pa·s) RVT, No. 1 spindle, 20 RPM at 77 °F	ASTM D2196	0.075–0.200
Specific gravity <sup>a</sup> (77 °F)	ASTM D1475	1.05–1.10
Elongation (% min) Type I specimen, 0.25 ± 0.03 inch thick Speed of testing = 0.45 inch/minute Condition 18/25/50+5/70: T—23/50	ASTM D638	35
Tensile strength (psi min) Type I specimen, 0.25 ± 0.03 inch thick Speed of testing = 0.45 inch/minute Condition 18/25/50+5/70: T—23/50	ASTM D618	2,500
Styrene content <sup>a</sup> (% by weight)	ASTM D2369	40–50
Silane coupler (% min, by weight of polyester resin binder)	--	1.0
PCC saturated surface-dry bond strength at 24 hours and 70 ± 2 °F (psi min)	California Test 551	500
Static volatile emissions <sup>a</sup> (g/sq m, max)	South Coast Air Quality Management District, Method 309-91 <sup>b</sup>	60

<sup>a</sup>Perform the test before adding initiator.

<sup>b</sup>For the test method, go to:

<http://www.aqmd.gov/tao/methods/lab/309-91.pdf>

Silane coupler must be an organosilane ester, gamma-methacryloxypropyltrimethoxysilane. Promoter must be compatible with suitable methyl ethyl ketone peroxide (MEKP) and cumene hydroperoxide (CHP) initiators.

Aggregate for polyester concrete must comply with section 90-1.02C(1), 90-1.02C(2), and 90-1.02C(3).

When tested under California Test 202, the combined aggregate grading must comply with one of the gradations in the following table:

### Combined Aggregate Grading

Sieve size	Percentage passing		
	A	B	C
1/2"	100	100	100
3/8"	83–100	100	100
No. 4	65–82	62–85	45–80
No. 8	45–64	45–67	35–67
No. 16	27–48	29–50	25–50
No. 30	12–30	16–36	15–36
No. 50	6–17	5–20	5–20
No. 100	0–7	0–7	0–9
No. 200	0–3	0–3	0–6

Aggregate retained on the no. 8 sieve must have a maximum of 45 percent crushed particles under California Test 205. Fine aggregate must be natural sand.

The weighted average absorption must not exceed 1 percent when tested under California Tests 206 and 207.

You may submit an alternative grading or request to use manufactured sand as fine aggregate but 100 percent of the combined grading must pass the 3/8 inch sieve. Allow 21 days for authorization.

Polyester concrete must have a minimum compressive strength of 1250 psi at 3 hours and 30 minutes under California Test 551 or ASTM C109.

#### 41-1.02D Bonding Agent

Bonding agent must comply with the concrete manufacturer's recommendations.

#### 41-1.02E Temporary Pavement Structure

Temporary pavement structure consists of RSC or aggregate base with HMA. RSC not conforming to the specifications may serve as temporary pavement structure if:

1. The modulus of rupture is at least 200 psi before opening to traffic
2. RSC thickness is greater than or equal to the existing concrete pavement surface layer
3. RSC is replaced during the next paving shift

Aggregate base for temporary pavement structure must comply with the 3/4-inch maximum grading specified in section 26-1.02B.

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HMA must comply with the specifications for minor HMA in section 39.

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#### 41-1.02F Reserved

### 41-1.03 CONSTRUCTION

#### 41-1.03A General

Repair only the portion of pavement where the work will be completed during the same lane closure. If removal is required, remove only the portion of pavement where the repair will be completed during the same traffic closure. Completion of concrete repair includes curing until the concrete attains the specified minimum properties required before opening the repaired pavement to traffic.

If you fail to complete the concrete pavement repair during the same lane closure, construct temporary pavement before opening the lane to traffic.

Before starting repair work, except saw cutting: the equipment, materials, and personnel for constructing temporary pavement structure must be at the job site or an approved location. If HMA can be delivered to the job site within 1 hour, you may request 1-hour delivery as an alternative to having the HMA at the job site.

Maintain the temporary pavement structure and replace it as a first order of work as soon as you resume concrete pavement repair work.

After removing temporary pavement structure, you may stockpile that aggregate base at the job site and reuse it for temporary pavement structure.

#### **41-1.03B Mixing and Applying Bonding Agent**

Mix and apply the bonding agent at the job site under the manufacturer's instructions and in small quantities.

Apply bonding agent after cleaning the surface and before placing concrete.

Apply a thin, even coat of bonding agent with a stiff bristle brush until the entire repair surface is scrubbed and coated with bonding agent.

#### **41-1.03C Mixing Concrete**

##### **41-1.03C(1) General**

Mix concrete in compliance with the manufacturer's instructions. For repairing spalls, mix in a small mobile drum or paddle mixer. Comply with the manufacturer's recommended limits for the quantity of aggregate filler, water, and liquid activator.

Mix the entire contents of prepackaged dual-component magnesium phosphate concrete as supplied by the manufacturer. Use the full amount of each component and do not add water to dual-component magnesium phosphate concrete.

Magnesium phosphate concrete must not be mixed in containers or worked with tools containing zinc, cadmium, aluminum, or copper.

Modified high-alumina based concrete must not be mixed in containers or worked with tools containing aluminum.

##### **41-1.03C(2) Polyester Concrete**

When mixing with resin, the moisture content of the combined aggregate must not exceed 1/2 of the average aggregate absorption when tested under California Test 226.

Proportion the polyester resin and aggregate to produce a mixture with suitable workability for the intended work. Only a minimal amount of resin may rise to the surface after finishing.

#### **41-1.03D Placing Concrete**

The pavement surface temperature must be at least 40 degrees F before placing concrete. You may propose methods to heat the surfaces.

Place magnesium phosphate concrete on a dry surface.

Place portland cement and modified high-alumina concrete on surfaces treated with a bonding agent recommended by the concrete manufacturer. If no bonding agent is recommended by the manufacturer, place concrete on damp surfaces that are not saturated.

Do not retemper concrete. Use dry finishing tools cleaned with water before working the concrete.

#### **41-1.03E Curing Concrete**

Cure concrete under the manufacturer's instructions. When curing compound is used, comply with section 90-1.03B for curing compound no. 1 or 2.

#### **41-1.03F Reserved**

#### **41-1.04 PAYMENT**

Not Used



## **41-2 SUBSEALING AND JACKING**

### **41-2.01 GENERAL**

#### **41-2.01A Summary**

Section 41-2 includes specifications for filling voids under existing concrete pavement.

#### **41-2.01B Definitions**

Reserved

#### **41-2.01C Submittals**

Submit shipping invoices with packaged or bulk fly ash and cement.

Before grouting activities begin, submit a proposal for the materials to be used. Include authorized laboratory test data for the grout indicating:

1. Time of initial setting under ASTM C266.
2. Compressive strength results at 1, 3, and 7 days for 10, 12, and 14-second grout efflux times.

If requesting a substitution of grout materials, submit a proposal that includes test data.

#### **41-2.01D Quality Control and Assurance**

Reserved

### **41-2.02 MATERIALS**

#### **41-2.02A General**

Reserved

#### **41-2.02B Grout**

Grout must consist of Type II portland cement, fly ash, and water. Use from 2.4 to 2.7 parts fly ash to 1 part portland cement by weight. Use enough water to produce the following grout efflux times determined under California Test 541, Part D:

1. From 10 to 16 seconds for subsealing
2. From 10 to 26 seconds for jacking

Cement for grout must comply with the specifications for Type II portland cement in section 90-1.02B(2).

Fly ash must comply with AASHTO M 295, Class C or Class F. Fly ash sources must be on the Authorized Material List.

You may use chemical admixtures and calcium chloride. Chemical admixtures must comply with section 90-1.02E(2). Calcium chloride must comply with ASTM D98.

Test grout compressive strength under California Test 551, Part 1 at 7-days with 12 seconds efflux time. Follow the procedures for moist cure. The 7-day compressive strength must be at least 750 psi.

#### **41-2.02C Mortar**

Mortar must be a prepackaged fast-setting mortar that complies with ASTM C928.

#### **41-2.02D Reserved**

### **41-2.03 CONSTRUCTION**

#### **41-2.03A General**

Drill holes in the pavement, inject grout, plug the holes, and finish the holes with mortar.

Drill holes through the pavement and underlying base to a depth from 15 to 18 inches below the pavement surface. The hole diameter must match the fitting for the grout injecting equipment.

## **41-2.03B Injecting Grout**

### **41-2.03B(1) General**

Inject grout within 2 days of drilling holes.

Immediately before injecting grout, clean the drilled holes with water at a minimum pressure of 40 psi. The cleaning device must have at least 4 jets that direct water horizontally at the slab-base interface.

Do not inject grout if the atmospheric or subgrade temperature is below 40 degrees F. Do not inject grout in inclement weather. If water is present in the holes, obtain the Engineer's authorization before injecting grout.

Do not inject grout until at least 2 consecutive slabs requiring subsealing are drilled ahead of the grouting activities.

The grout plant must have a positive displacement cement injection pump and a high-speed colloidal mixer capable of operating from 800 to 2,000 rpm. The injection pump must sustain 150 psi if pumping grout with a 12-second efflux time. A pressure gauge must be located immediately adjacent to the supply valve of the grout hose supply valve and positioned for easy monitoring.

Before mixing, weigh dry cement and fly ash if delivered in bulk. If the materials are packaged, each container must weigh the same.

Introduce water to the mixer through a meter or scale.

Inject grout under pressure until the voids under the pavement slab are filled. The injection nozzle must not leak. Do not inject grout if the nozzle is below the bottom of the slab. Inject grout 1 hole at a time.

Stop injecting grout in a hole if either:

1. Grout does not flow under a sustained pump gauge pressure of 150 psi after 7 seconds and there is no indication the slab is moving.
2. Injected grout rises to the surface at any joint or crack, or flows into an adjacent hole.

Dispose of unused grout within 1 hour of mixing.

### **41-2.03B(2) Subsealing**

If a slab raises more than 1/16 inch due to grout injection, stop injecting grout in that hole.

### **41-2.03B(3) Jacking**

The positive displacement pump used for grout injection must be able to provide a sustained gauge pressure of 200 psi. Gauge pressures may be from 200 to 600 psi for brief periods to start slab movement.

You may add additional water to initiate pressure injection of grout. Do not reduce the grout efflux time below 10 seconds.

Raise the slabs uniformly. Use string lines to monitor the pavement movement.

Do not move adjacent slabs not specified for pavement jacking. If you move adjacent slabs, correct the grade within the tolerances for final pavement elevation.

### **41-2.03B(4) Finishing**

Immediately after removing the injection nozzle, plug the hole with a round, tapered wooden plug. Do not remove plugs until adjacent holes are injected with grout and no grout surfaces through previously injected holes.

After grouting, remove grout from drilled holes at least 4 inches below the pavement surface. Clean holes and fill with mortar. Finish filled holes flush with the pavement surface.

#### **41-2.03B(5) Tolerances**

The final pavement elevation must be within 0.01 foot of the required grade. If the final pavement elevation is between 0.01 and 0.10 foot higher than the required grade, grind the noncompliant pavement surface under section 42 to within 0.01 foot of the required grade.

If the final pavement elevation is higher than 0.10 foot from the required grade, remove and replace the noncompliant pavement under section 41-9.

#### **41-2.04 PAYMENT**

The payment quantity for subsealing is calculated by adding the dry weight of cement and fly ash used for the placed grout. The payment quantity for jacking is calculated by adding the dry weight of cement and fly ash used for the placed grout.

The Department does not pay for wasted grout.

The Department does not adjust the unit price for an increase or decrease in the subsealing quantity.

The Department does not adjust the unit price for an increase or decrease in the jacking quantity.

### **41-3 CRACK TREATMENT**

#### **41-3.01 GENERAL**

##### **41-3.01A Summary**

Section 41-3 includes specifications for applying high-molecular-weight methacrylate (HMWM) to concrete pavement surface cracks that do not extend the full slab depth.

##### **41-3.01B Definitions**

Reserved

##### **41-3.01C Submittals**

###### **41-3.01C(1) General**

Submit HMWM samples 20 days before use.

If sealant is to be removed, submit the proposed removal method at least 7 days before sealant removal. Do not remove sealant until the proposed sealant removal method is authorized.

###### **41-3.01C(2) Public Safety and Placement Plans**

Before starting crack treatment, submit a public safety plan for HMWM and a placement plan for construction activity as shop drawings.

The public safety and placement plans must identify the materials, equipment, and methods to be used.

In the public safety plan, include the MSDS for each component of HMWM and details for:

1. Shipping
2. Storage
3. Handling
4. Disposal of residual HMWM and containers

If the project is in an urban area adjacent to a school or residence, the public safety plan must also include an airborne emissions monitoring plan prepared by a CIH certified in comprehensive practice by the American Board of Industrial Hygiene. Submit a copy of the CIH's certification. The CIH must monitor the emissions at a minimum of 4 points including the mixing point, the application point, and the point of nearest public contact. At work completion, submit a report by the industrial hygienist with results of the airborne emissions monitoring plan.

The placement plan must include:

1. Crack treatment schedule including coefficient of friction testing
2. Methods and materials including:

- 2.1. Description of equipment for applying HMWM
- 2.2. Description of equipment for applying sand
- 2.3. Gel time range and final cure time for resin

Revise rejected plans and resubmit. With each plan rejection, the Engineer gives revision directions including detailed comments in writing. The Engineer notifies you of a plan's acceptance or rejection within 2 weeks of receiving that plan.

#### **41-3.01C(3) Reserved**

#### **41-3.01D Quality Control and Assurance**

##### **41-3.01D(1) General**

Use test tiles to evaluate the HMWM cure time. Coat at least one 4 by 4 inch smooth glazed tile for each batch of HMWM. Place the coated tile adjacent to the area being treated. Do not apply sand to the test tiles.

Use the same type of crack treatment equipment for testing and production.

##### **41-3.01D(2) Test Area**

Before starting crack treatment, treat a test area of at least 500 square feet within the project limits at a location accepted by the Engineer. Use test areas outside the traveled way if available.

Treat the test area under weather and pavement conditions similar to those expected during crack treatment production.

The Engineer evaluates the test area based on the acceptance criteria. Do not begin crack treatment until the Engineer accepts the test area.

##### **41-3.01D(3) Reserved**

##### **41-3.01D(4) Acceptance Criteria**

The Engineer accepts a treated area if:

1. Corresponding test tiles are dry to the touch
2. Treated surface is tack-free and not oily
3. Sand cover adheres enough to resist hand brushing
4. Excess sand is removed
5. Coefficient of friction is at least 0.30 when tested under California Test 342

#### **41-3.02 MATERIALS**

HMWM consists of compatible resin, promoter, and initiator. HMWM resin may be prepromoted by mixing promoter and resin together before filling containers. Identify prepromoted resin on the container label.

Adjust the gel time to compensate for temperature changes throughout the application.

HMWM resin properties must have the following values:

Property	Test method	Value
Viscosity <sup>a</sup> (cP, max, Brookfield RVT with UL adapter, 50 RPM at 77 °F)	ASTM D2196	25
Specific gravity <sup>a</sup> (min, at 77 °F)	ASTM D1475	0.90
Flash point <sup>a</sup> (°F, min)	ASTM D3278	180
Vapor pressure <sup>a</sup> (mm Hg, max, at 77 °F)	ASTM D323	1.0
Tack-free time (minutes, max, at 77 °F)	Specimen prepared under California Test 551	400
Volatile content <sup>a</sup> (% , max)	ASTM D2369	30
PCC saturated surface-dry bond strength (psi, min, at 24 hours and 77 ± 2 °F)	California Test 551	500

<sup>a</sup>Perform the test before adding initiator.

Sand must be commercial quality dry blast sand. At least 95 percent of the sand must pass the no. 8 sieve and at least 95 percent must be retained on the no. 20 sieve when tested under California Test 202.

#### **41-3.02D Reserved**

### **41-3.03 CONSTRUCTION**

#### **41-3.03A General**

Before applying HMWM, clean the pavement surface by abrasive blasting and blow loose material from visible cracks with high-pressure air. Remove concrete curing seals from the pavement to be treated. The pavement must be dry when blast cleaning is performed. If the pavement surface becomes contaminated before applying the HMWM, clean the pavement surface by abrasive blasting.

If performing abrasive blasting within 10 feet of a lane occupied by traffic, operate abrasive blasting equipment with a concurrently operating vacuum attachment.

During pavement treatment, protect pavement joints, working cracks, and surfaces not being treated.

The equipment applying HMWM must combine the components by either static in-line mixers or by external intersecting spray fans. The pump pressure at the spray bars must not cause atomization. Do not use compressed air to produce the spray. Use a shroud to enclose the spray bar apparatus.

You may apply HMWM manually to prevent overspray onto adjacent traffic. If applying resin manually, limit the batch quantity of HMWM to 5 gallons.

Apply HMWM at a rate of 90 square feet per gallon. The prepared area must be dry and the surface temperature must be from 50 to 100 degrees F while applying HMWM. Do not apply HMWM if the ambient relative humidity is more than 90 percent.

Protect existing facilities from HMWM. Repair or replace existing facilities contaminated with HMWM at your expense.

Flood the treatment area with HMWM to penetrate the pavement and cracks. Apply HMWM within 5 minutes after complete mixing. Mixed HMWM viscosity must not increase. Redistribute excess material with squeegees or brooms within 10 minutes of application. Remove excess material from tined grooves.

Wait at least 20 minutes after applying HMWM before applying sand. Apply sand at a rate of approximately 2 pounds per square yard or until refusal. Remove excess sand by vacuuming or sweeping.

Do not allow traffic on the treated surface until:

1. Treated surface is tack-free and non-oily
2. Sand cover adheres enough to resist hand brushing
3. Excess sand is removed
4. Coefficient of friction is at least 0.30 determined under California Test 342

#### **41-3.04 PAYMENT**

Not Used

### **41-4 SPALL REPAIR**

#### **41-4.01 GENERAL**

Section 41-4 includes specifications for repairing spalls in concrete pavement.

#### **41-4.02 MATERIALS**

Repair spalls using polyester concrete with a bonding agent. The bonding agent must comply with the requirements for HMWM in section 41-3.02 except tack-free time requirements do not apply and the HMWM must not contain wax.

Form board must be corrugated cardboard with a 6-mil polyethylene covering.

#### **41-4.03 CONSTRUCTION**

##### **41-4.03A General**

Prepare spall areas by removing concrete and cleaning. Use a form board to provide compression relief at joints and cracks.

After completing spall repairs do not allow traffic on the repairs for at least 2 hours after the time of final setting under ASTM C403/403M.

##### **41-4.03B Remove Pavement**

The Engineer determines the rectangular limits of unsound concrete pavement. Before removing pavement, mark the saw cut lines and spall repair area on the pavement surface.

Do not remove pavement until the Engineer verbally authorizes the saw cut area.

Use a power-driven saw with a diamond blade.

Remove pavement as shown and:

1. From the center of the repair area towards the saw cut
2. To the full saw cut depth
3. At least 2 inches beyond the saw cut edge to produce a rough angled surface

Produce a rough surface by chipping or other removal methods that do not damage the pavement remaining in-place. Completely remove any saw overcuts. Pneumatic hammers used for concrete removal must weigh 15 lbs or less.

If you damage concrete pavement outside the removal area, enlarge the area to remove the damaged pavement.

If dowel bars are exposed during removal, remove concrete from the exposed surface and cover with duct tape.

##### **41-4.03C Cleaning**

After pavement has been removed, clean the exposed faces of the concrete by:

1. Sand or water blasting. Water blasting equipment must be capable of producing a blast pressure of 3,000 to 6,000 psi.
2. Blowing the exposed concrete area with compressed air free of moisture and oil to remove debris after blasting. Air compressors must deliver air at a minimum of 120 cfm and develop 90 psi of nozzle pressure.

#### **41-4.03D Form Board Installation**

After cleaning, place the form board to match the existing joint or crack alignment. Extend the form board at least 3 inches beyond each end of the repair and at least 1 inch deeper than the repair. Remove the form board before sealing joints or cracks.

#### **41-4.03E–41-4.03I Reserved**

#### **41-4.04 PAYMENT**

Payment is calculated based on the authorized saw cut area.

The Department does not adjust the unit price for an increase or decrease in the spall repair quantity.

### **41-5 JOINT SEALS**

#### **41-5.01 GENERAL**

##### **41-5.01A Summary**

Section 41-5 includes specifications for sealing concrete pavement joints or replacing existing concrete pavement joint seals. Pavement joints include isolation joints.

##### **41-5.01B Definitions**

Reserved

##### **41-5.01C Submittals**

At least 15 days before delivery to the job site, submit a certificate of compliance, MSDS, manufacturer's recommendations, and instructions for storage and installation of:

1. Liquid joint sealant.
2. Backer rods. Include the manufacturer data sheet verifying compatibility with the liquid joint sealant.
3. Preformed compression joint seal. Include the manufacturer data sheet used to verify the seal for the joint dimensions shown.
4. Lubricant adhesive.

Asphalt rubber joint sealant containers must comply with ASTM D6690. Upon delivery of asphalt rubber joint sealant to the job site, submit a certified test report for each lot based on testing performed within 12 months.

Submit a work plan for removing pavement and joint materials. Allow 10 days for authorization. Include descriptions of the equipment and methods for removal of existing pavement and joint material.

##### **41-5.01D Quality Control and Assurance**

##### **41-5.01D(1) General**

Before sealing joints, arrange for a representative from the manufacturer to provide training on cleaning and preparing the joint and installing the liquid joint sealant or preformed compression joint seal. Do not seal joints until your personnel and the Department's personnel have been trained.

The Engineer accepts joint seals based on constructed dimensions and visual inspection of completed seals for voids.

##### **41-5.01D(2) Reserved**

#### **41-5.02 MATERIALS**

##### **41-5.02A General**

Use the type of seal material described.

Silicone or asphalt rubber joint sealant must not bond or react with the backer rod.

##### **41-5.02B Silicone Joint Sealant**

Silicone joint sealant must be on the Authorized Material List.

#### **41-5.02C Asphalt Rubber Joint Sealant**

Asphalt rubber joint sealant must:

1. Be paving asphalt mixed with not less than 10 percent ground rubber by weight. Ground rubber must be vulcanized or a combination of vulcanized and devulcanized materials that pass a no. 8 sieve.
2. Comply with ASTM D6690 for Type II.
3. Be capable of melting at a temperature below 400 degrees F and applied to cracks and joints.

#### **41-5.02D Backer Rods**

Backer rods must:

1. Comply with ASTM D5249:
  - 1.1. Type 1 for asphalt rubber joint sealant
  - 1.2. Type 1 or Type 3 for silicone joint sealant
2. Be expanded, closed-cell polyethylene foam
3. Have a diameter at least 25 percent greater than the saw cut joint width

#### **41-5.02E Preformed Compression Joint Seals**

Preformed compression joint seals must:

1. Comply with ASTM D2628
2. Have 5 or 6 cells, except seals 1/2 inch wide or less may have 4 cells

Lubricant adhesive used to install seals must comply with ASTM D2835.

#### **41-5.02F–41-5.02K Reserved**

### **41-5.03 CONSTRUCTION**

#### **41-5.03A General**

If joint sealing is described for new concrete pavement, do not start joint sealing activities until the pavement has been in place for at least 7 days. Seal new concrete pavement joints at least 7 days after concrete pavement placement if shown.

Remove existing pavement and joint material by sawing, rectangular plowing, cutting, or manual labor. Saw cut the reservoir before cleaning the joint. Use a power-driven saw with a diamond blade.

If you damage a portion of the pavement to remain in place, repair the pavement under section 41-4.

#### **41-5.03B Joint Cleaning**

##### **41-5.03B(1) General**

Clean the joint after removal and any repair is complete before installing joint seal material. Cleaning must be completed no more than 4 hours before installing backer rods, liquid joint seal, or preformed compression seals using the following sequence:

1. Removing debris
2. Drying
3. Sandblasting
4. Air blasting
5. Vacuuming

Clean in 1 direction to minimize contamination of surrounding areas.

##### **41-5.03B(2) Removing Debris**

Remove debris including dust, dirt, and visible traces of old sealant from the joint after sawing, plowing, cutting, or manual removal. Do not use chemical solvents to wash the joint.



#### **41-5.03B(3) Drying**

After removing debris, allow the reservoir surfaces to dry or remove moisture and dampness at the joint with compressed air that may be moderately hot.

#### **41-5.03B(4) Sandblasting**

After the joint is dry, sandblast the reservoir to remove remaining residue using a 1/4-inch diameter nozzle and 90 psi minimum pressure. Do not sandblast straight into the reservoir. Angle the sandblasting nozzle within 1 to 2 inches from the concrete and make at least 1 pass to clean each reservoir face.

#### **41-5.03B(5) Air Blasting**

After sandblasting, air blast the reservoir to remove sand, dirt, and dust 1 hour before sealing the joint. Use compressed air free of oil and moisture delivered at a minimum rate of 120 cfm and 90 psi nozzle pressure.

#### **41-5.03B(6) Vacuuming**

After air blasting, use a vacuum sweeper to remove debris and contaminants from the pavement surfaces surrounding the joint.

#### **41-5.03B(7) Reserved**

#### **41-5.03C Installing Liquid Joint Sealant**

Where backer rods are shown, place the rods before installing liquid joint sealant. Place backer rods under the manufacturer's instructions unless otherwise specified. The pavement and reservoir surfaces must be dry and the ambient air temperature must be at least 40 degrees F and above the dew point. The reservoir surface must be free of residue or film. Do not puncture the backer rod.

Immediately after placing the backer rod, install liquid joint sealant under the manufacturer's instructions unless otherwise specified. Before installing, demonstrate that fresh liquid sealant is ejected from the nozzle free of cooled or cured material. For asphalt rubber joint sealant, the pavement surface temperature must be at least 50 degrees F before installing.

Pump liquid joint sealant through a nozzle sized for the width of the reservoir so that liquid joint sealant is placed directly onto the backer rod. The installer must draw the nozzle toward his body and extrude liquid joint sealant evenly. Liquid joint sealant must maintain continuous contact with the reservoir walls during extrusion.

After placing liquid joint sealant, recess it to the depth shown within 10 minutes of installation and before a skin begins to form.

After each joint is sealed, remove excess liquid joint sealant on the pavement surface. Do not allow traffic over the sealed joints until the liquid joint sealant is set, tack free, and firm enough to prevent embedment of roadway debris.

#### **41-5.03D Installing Preformed Compression Joint Seals**

Install preformed compression joint seals using lubricant adhesive as shown and under the manufacturer's instructions.

Install longitudinal seals before transverse seals. Longitudinal seals must be continuous except splicing is allowed at intersections with transverse seals. Transverse seals must be continuous for the entire transverse length of concrete pavement except splices are allowed for widening and staged construction. With a sharp instrument, cut across the longitudinal seal at the intersection with transverse construction joints. If the longitudinal seal does not relax enough to properly install the transverse seal, trim the longitudinal seal to form a tight seal between the 2 joints.

If splicing is authorized, comply with the manufacturer's instructions.

Use a machine specifically designed for preformed compression joint seal installation. The machine must install the seal:

1. To the specified depth

2. To make continuous contact with the joint walls
3. Without cutting, nicking, or twisting the seal
4. Without stretching the seal more than 4 percent

Cut preformed compression joint seal material to the exact length of the pavement joint to be sealed. The Engineer measures this length. After you install the preformed compression joint seal, the Engineer measures the excess length of material at the joint end. The Engineer divides the excess length by the measured cut length to determine the stretch percentage.

Seals must be compressed from 30 to 50 percent of the joint width when complete in place.

#### **41-5.03E Reserved**

#### **41-5.04 PAYMENT**

Not Used

### **41-6 CRACK AND SEAT**

#### **41-6.01 GENERAL**

##### **41-6.01A Summary**

Section 41-6 includes specifications for cracking, seating, and preparing the surface of existing concrete pavement.

##### **41-6.01B Definitions**

Reserved

##### **41-6.01C Submittals**

Submit each core in a plastic bag or tube for acceptance at the time of sampling. Mark each core with a location description.

##### **41-6.01D Quality Control and Assurance**

##### **41-6.01D(1) General**

If cracking is noncompliant:

1. Stop crack and seat work
2. Modify your equipment and procedures and crack the noncompliant pavement again
3. Construct another test section
4. Take additional core samples to verify compliance
5. Construct an inspection strip if the concrete pavement has HMA on the surface

##### **41-6.01D(2) Test Section**

The Engineer determines and marks a test section up to 1000 square feet within the crack and seat area shown. Construct the test section and obtain the Engineer's verbal authorization before starting crack and seat work.

Immediately before cracking the test section, apply water to the pavement surface so that cracking can be readily evaluated. Crack the test section and vary impact energy and striking patterns to verify your procedure.

##### **41-6.01D(3) Coring**

Drill cores at least 6 inches in diameter under ASTM C42 to verify cracking in the Engineer's presence. Take at least 2 cores per test section and 1 core per lane mile for each pavement cracking machine used. The Engineer determines the core locations.

##### **41-6.01D(4) Reserved**

#### **41-6.02 MATERIALS**

##### **41-6.02A General**

Use fast-setting or polyester concrete to fill core holes.

## **41-6.03 CONSTRUCTION**

### **41-6.03A Cracking**

Crack existing concrete pavement using the procedures and equipment from the authorized test section.

Do not allow flying debris during cracking operations.

Crack existing concrete pavement into segments that nominally measure 6 feet transversely by 4 feet longitudinally. If the existing pavement is already cracked into segments, crack it into equal-sized square or rectangular pieces that nominally measure not more than 6 feet transversely and from 3 to 5 feet longitudinally. Do not impact the pavement within 1 foot of another break line, pavement joint, or edge of pavement.

Cracks must be vertical, continuous, and penetrate the full depth of pavement. Cracks must be within 6 inches of vertical along the full depth of pavement. Do not cause surface spalling over 0.10-foot deep or excessive shattering of the pavement or base.

Cracking equipment must impact the pavement with a variable force in a controlled location. Do not use unguided free-falling weights such as "headache balls."

If the concrete pavement has no more than 0.10 foot of asphalt concrete on the surface, you may crack the pavement without removing the asphalt concrete. After cracking, construct an inspection strip by removing at least 500 square feet of asphalt concrete at a location determined by the Engineer. Construct additional inspection strips to demonstrate compliance where ordered by the Engineer.

After cracking, allow public traffic on the cracked or initial pavement layer for no more than 15 days.

### **41-6.03B Seating**

Seat cracked concrete by making at least 5 passes over the cracked concrete with either:

1. Oscillating type pneumatic-tired roller at least 4 feet wide. Pneumatic tires must be of equal size, diameter, type, and ply. The tires must be inflated to 60 psi minimum and maintained so that the air pressure does not vary more than 5 psi. The roller's gross static weight must be at least 15 tons. 04-18-14
2. Vibratory pad-foot roller exerting a dynamic centrifugal force of at least 10 tons 07-19-13

A pass is 1 movement of a roller in either direction at 5 mph or less.

After all segments have been seated, clean loose debris from joints and cracks using compressed air free of moisture and oil.

Reseat any segment of cracked pavement that has not been overlaid within 24 hours of seating.

### **41-6.03C Surface Preparation**

Before opening cracked and seated pavement to traffic or overlaying:

1. Fill joints, cracks, and spalls wider than 3/4 inch and deeper than 1 inch by applying tack coat and placing minor HMA under section 39. Use the no. 4 gradation. 04-18-14
2. Remove all loose debris and sweep the pavement. 07-19-13

### **41-6.03D Reserved**

## **41-6.04 PAYMENT**

Crack and seat existing concrete pavement is measured from the area of pavement cracked and seated. No deduction is made for existing cracked segments. The Department does not pay for HMA used to fill joints, cracks, and spalls.

## 41-7 TRANSITION TAPER

### 41-7.01 GENERAL

Section 41-7 includes specifications for constructing transition tapers in existing pavement.

### 41-7.02 MATERIALS

Not Used

### 41-7.03 CONSTRUCTION

Construct transition tapers by either grinding or removing and replacing the existing concrete. Do not allow flying debris during the construction of tapers.

Grinding must comply with section 42.

Replacement concrete must comply with section 41-9 except place concrete to the taper level shown and finish the surface with a coarse broom.

04-18-14

If the transition taper will be overlaid with HMA that is not placed before opening to traffic and there is a grade difference of more than 0.04 foot, construct a temporary taper by placing minor HMA that complies with section 39. Remove the temporary HMA taper before constructing the transition taper.

07-19-13

### 41-7.04 PAYMENT

Pavement transition tapers are measured using the dimensions shown. The Department does not pay for temporary HMA tapers.

## 41-8 DOWEL BAR RETROFIT

Reserved

## 41-9 INDIVIDUAL SLAB REPLACEMENT WITH RAPID STRENGTH CONCRETE

### 41-9.01 GENERAL

#### 41-9.01A Summary

Section 41-9 includes specifications for removing existing concrete pavement and constructing individual slab replacement with rapid strength concrete (ISR—RSC).

#### 41-9.01B Definitions

**concrete raveling:** Disintegration of the concrete surface layer from aggregate loss.

**early age:** Any age less than 10 times the time of final setting for concrete determined under ASTM C403/C403M.

**full-depth crack:** Crack that runs from one edge of the concrete slab to the opposite or adjacent side of the slab.

**opening age:** Age when the minimum modulus of rupture specified for opening to traffic and equipment is attained.

**time of final setting:** Elapsed time required to develop a concrete penetration resistance that is at least 4,000 psi under ASTM C403/C403M.

#### 41-9.01C Submittals

##### 41-9.01C(1) General

At least 15 days before delivery to the job site, submit manufacturer's recommendations, MSDS and instructions for storage and installation of joint filler material.

At least 45 days before starting ISR—RSC work submit a sample of cement from each proposed lot and samples of proposed admixtures in the quantities ordered by the Engineer.

During ISR—RSC placement operations, submit uniformity reports for hydraulic cement at least once every 30 days to the Engineer and METS, attention Cement Laboratory. Uniformity reports must comply with ASTM C917 except testing age and water content may be modified to suit the particular material.

Except for modulus of rupture tests, submit QC test result forms within 48 hours of the paving shift. Submit modulus of rupture results within:

1. 15 minutes of opening age test completion
2. 24 hours of 3-day test completion

#### **41-9.01C(2) Quality Control Plan**

If the quantity of ISR—RSC is at least 300 cu yd, submit a QC plan at least 20 days before placing trial slabs. If the quantity of ISR—RSC is less than 300 cu yd, submit proposed forms for RSC inspection, sampling, and testing.

#### **41-9.01C(3) Mix Design**

At least 10 days before use in a trial slab, submit a mix design. The maximum ambient temperature range for a mix design is 18 degrees F. Submit more than 1 mix design based on ambient temperature variations anticipated during RSC placement. Each mix design must include:

1. Mix design identification number
2. Aggregate source
3. Opening age
4. Aggregate gradation
5. Types of cement and chemical admixtures
6. Mix proportions
7. Maximum time allowed between batching and placing
8. Range of effective ambient temperatures
9. Time of final setting
10. Modulus of rupture development data from laboratory-prepared samples, including tests at:
  - 10.1. 1 hour before opening age
  - 10.2. Opening age
  - 10.3. 1 hour after opening age
  - 10.4. 1 day
  - 10.5. 3 days
  - 10.6. 7 days
  - 10.7. 28 days
11. Shrinkage test data
12. Any special instructions or conditions such as water temperature requirements

#### **41-9.01C(4) Reserved**

#### **41-9.01D Quality Control and Assurance**

##### **41-9.01D(1) General**

Designate a QC manager and assistant QC managers to administer the QC plan. The QC managers must hold current American Concrete Institute (ACI) certification as a Concrete Field Testing Technician-Grade I and a Concrete Laboratory Testing Technician-Grade II, except the assistant QC managers may hold Concrete Laboratory Testing Technician-Grade I instead of Grade II.

The QC manager responsible for the production period involved must review and sign the sampling, inspection, and test reports before submitting them. The QC manager must be present for:

1. Each stage of mix design
2. Trial slab construction
3. Production and construction of RSC
4. Meetings with the Engineer relating to production, placement, or testing

The QC manager must not be a member of this project's production or paving crews, an inspector, or a tester. The QC manager must have no duties during the production and placement of RSC except those specified.

Testing laboratories and equipment must comply with the Department's Independent Assurance Program. At the time of the QC plan submittal, the Department evaluates the quality control samplers and testers.

#### **41-9.01D(2) Just-in-time Training**

Reserved

#### **41-9.01D(3) Quality Control Plan**

Establish, implement, and maintain a QC plan for pavement. The QC plan must describe the organization and procedures used to:

1. Control the production process
2. Determine if a change to the production process is needed
3. Implement a change

The QC plan must include:

1. Names, qualifications, and certifications of QC personnel, including:
  - 1.1. QC manager
  - 1.2. Assistant QC managers
  - 1.3. Samplers and testers
2. Outline of procedure for the production, transportation, placement, and finishing of RSC
3. Outline of procedure and forms for concrete QC, sampling, and testing to be performed during and after RSC construction, including testing frequencies for modulus of rupture
4. Contingency plan for identifying and correcting problems in production, transportation, placement, or finishing RSC including:
  - 4.1. Action limits
  - 4.2. Suspension limits that do not exceed specified material requirements
  - 4.3. Detailed corrective action if limits are exceeded
  - 4.4. Temporary pavement structure provisions, including:
    - 4.4.1. The quantity and location of standby material
    - 4.4.2. Determination of need
5. Location of your quality control testing laboratory and testing equipment during and after paving operations
6. List of the testing equipment to be used, including the date of last calibration
7. Production target values for material properties that impact concrete quality or strength including cleanness value and sand equivalent
8. Outline procedure for placing and testing trial slabs, including:
  - 8.1. Locations and times
  - 8.2. Production procedures
  - 8.3. Placing and finishing methods
  - 8.4. Sampling methods, sample curing, and sample transportation
  - 8.5. Testing and test result reporting
9. Name of source plant with approved Material Plant Quality Program (MPQP)
10. Procedures or methods for controlling pavement quality including:
  - 10.1. Materials quality
  - 10.2. Contraction and construction joints
  - 10.3. Protecting pavement before opening to traffic

#### **41-9.01D(4) Prepaving Conference**

Schedule a prepaving conference and provide a facility to meet with the Engineer.

Prepaving conference attendees must sign an attendance sheet provided by the Engineer. The prepaving conference must be attended by your:

1. Project superintendent
2. Project manager
3. QC manager
4. Workers and your subcontractor's workers, including:
  - 4.1. Foremen
  - 4.2. Concrete plant manager
  - 4.3. Concrete plant operator
  - 4.4. Concrete plant inspectors
  - 4.5. Personnel performing saw cutting and joint sealing
  - 4.6. Paving machine operators
  - 4.7. Inspectors
  - 4.8. Samplers
  - 4.9. Testers

The purpose of the prepaving conference is to familiarize personnel with the project's specifications. Discuss the QC plan and processes for constructing each item of work, including:

1. Production
2. Transportation
3. Trial slabs
4. Pavement structure removal
5. Placement
6. Contingency plan
7. Sampling
8. Testing
9. Acceptance

Do not start trial slabs or paving activities until the listed personnel have attended the prepaving conference.

#### **41-9.01D(5) Trial Slabs**

Before starting individual slab replacement work, complete 1 trial slab for each mix design.

Place trial slabs near the job site at a mutually-agreed location that is neither on the roadway nor within the project limits. Trial slabs must be 10 by 20 feet and at least 10 inches thick.

During trial slab construction, sample and split the aggregate for grading, cleanness value, and sand equivalent testing.

Fabricate and test beams under California Test 524 to determine the modulus of rupture values.

Cure beams fabricated for early age testing such that the monitored temperatures in the beams and the slab are always within 5 degrees F of each other.

Monitor and record the internal temperatures of trial slabs and early age beams at intervals of at least 5 minutes. Install thermocouples or thermistors connected to strip-chart recorders or digital data loggers to monitor the temperatures. Temperature recording devices must be accurate to within 2 degrees F. Measure internal temperatures at 1 inch from the top, 1 inch from the bottom, and no closer than 3 inches from any edge until early age testing is completed.

Cure beams fabricated for 3-day testing under California Test 524 except place them into sand at a time that is from 5 to 10 times the time of final setting measured under ASTM C403/403M or 24 hours, whichever is earlier.

Trial slabs must have an opening age modulus of rupture of not less than 400 psi and a 3-day modulus of rupture of not less than 600 psi.

After authorization, remove and dispose of trial slabs and testing materials.

#### **41-9.01D(6) Quality Control Testing**

##### **41-9.01D(6)(a) General**

Provide continuous process control and quality control sampling and testing throughout RSC production and placement. Notify the Engineer at least 2 business days notice before any sampling and testing. Establish a testing facility at the job site or at an authorized location.

Sample under California Test 125.

During ISR—RSC placement, sample and fabricate beams for modulus of rupture testing within the first 30 cubic yards, at least once every 130 cu yd, and within the final truckload. Submit split samples and fabricate test beams for the Department's testing unless the Engineer informs you otherwise.

Determine the modulus of rupture at opening age under California Test 524, except beam specimens may be fabricated using an internal vibrator under ASTM C 31. Cure beams under the same conditions as the pavement until 1 hour before testing. Test 3 beam specimens in the presence of the Engineer and average the results. A single test represents no more than that day's production or 130 cu yd, whichever is less.

Determine the modulus of rupture at other ages using beams cured and tested under California Test 524 except place them in sand from 5 to 10 times the time of final setting under ASTM C403/C403M or 24 hours, whichever is earlier.

##### **41-9.01D(6)(b) Rapid Strength Concrete**

Your quality control must include testing RSC for the properties at the frequencies shown in the following table:

<b>RSC Minimum Quality Control</b>		
Property	Test method	Minimum testing frequency <sup>a</sup>
Cleanness value	California Test 227	650 cu yd or 1 per shift
Sand equivalent	California Test 217	650 cu yd or 1 per shift
Aggregate gradation	California Test 202	650 cu yd or 1 per shift
Air content	California Test 504	130 cu yd or 2 per shift
Yield	California Test 518	2 per shift
Slump or penetration	ASTM C143 or California Test 533	1 per 2 hours of paving
Unit weight	California Test 518	650 cubic yards or 2 per shift
Aggregate Moisture Meter Calibration <sup>b</sup>	California Test 223 or California Test 226	1 per shift
Modulus of rupture	California Test 524	Comply with section 41-9.01D(6)(a)

<sup>a</sup>Test at the most frequent interval.

<sup>b</sup>Check calibration of the plant moisture meter by comparing moisture meter readings with California Test 223 or California Test 226 test results

Maintain control charts to identify potential problems and causes. Post a copy of each control chart at a location determined by the Engineer.

Individual measurement control charts must use the target values in the mix proportions as indicators of central tendency.

Develop linear control charts for:

1. Cleanness value
2. Sand equivalent
3. Fine and coarse aggregate gradation
4. Air content
5. Penetration



Control charts must include:

1. Contract number
2. Mix proportions
3. Test number
4. Each test parameter
5. Action and suspension limits
6. Specification limits
7. Quality control test results

For fine and coarse aggregate gradation control charts, record the running average of the previous 4 consecutive gradation tests for each sieve and superimpose the specification limits.

For air content control charts, the action limit is  $\pm 1.0$  percent and the suspension limit is  $\pm 1.5$  percent of the specified values. If no value is specified, apply the air content value used in the approved mix design.

As a minimum, a process is out of control if any of the following occurs:

1. For fine and coarse aggregate gradation, 2 consecutive running averages of 4 tests are outside the specification limits
2. For individual penetration or air content measurements:
  - 2.1. One point falls outside the suspension limit line
  - 2.2. Two points in a row fall outside the action limit line

Stop production and take corrective action for out of control processes or the Engineer rejects subsequent RSC.

Before each day's concrete pavement placement and at intervals not to exceed 4 hours of production, use a tachometer to test and record vibration frequency for concrete consolidation vibrators.

#### **41-9.01D(6)(c) Reserved**

#### **41-9.01D(7) Acceptance Criteria**

##### **41-9.01D(7)(a) General**

The final texture of ISR—RSC must pass visual inspection and have a coefficient of friction of at least 0.30 determined under California Test 342.

Allow at least 25 days for the Department to schedule testing for coefficient of friction. Notify the Engineer when the pavement is scheduled to be opened to traffic.

##### **41-9.01D(7)(b) Modulus of Rupture**

ISR—RSC is accepted based on your testing for modulus of rupture at opening age and the Department's testing for modulus of rupture at 3 days.

ISR—RSC must have a modulus of rupture at opening age that is at least 400 psi and a modulus of rupture at 3 days that is at least 600 psi.

Calculate the test result as the average from testing 3 beams for each sample. The test result represents 1 paving shift or 130 cu yd, whichever is less.

##### **41-9.01D(7)(c) Concrete Pavement Smoothness**

The Department tests for concrete pavement smoothness using a 12-foot straightedge. Straightedge smoothness specifications do not apply to the pavement surface placed within 12 inches of existing concrete pavement except parallel to the centerline at the midpoint of a transverse construction joint.

The concrete pavement surface must not vary from the lower edge of a 12-foot straightedge by more than:

1. 0.01 feet when parallel to the centerline
2. 0.02 feet when perpendicular to the centerline extending from edge to edge of a traffic lane

#### **41-9.01D(7)(d) Cracking and Raveling**

The Engineer rejects an ISR—RSC slab under section 6-3.06 if within 1 year of contract acceptance there is either:

1. Partial or full-depth cracking
2. Concrete raveling consisting of either:
  - 2.1. Combined raveled areas more than 5 percent of each ISR—RSC slab area
  - 2.2. Any single raveled area of more than 4 sq ft

#### **41-9.01D(8) Reserved**

### **41-9.02 MATERIALS**

#### **41-9.02A General**

Reserved

#### **41-9.02B Rapid Strength Concrete**

RSC for ISR—RSC must comply with section 90-3.

Use either the 1-1/2 inch maximum or the 1-inch maximum combined grading specified in section 90-1.02C(4)(d).

Air content must comply with the minimum requirements in section 40-1.02B(4).

#### **41-9.02C Base Bond Breaker**

Use base bond breaker no. 3, 4, or 5 under section 36-2.

#### **41-9.02D Reserved**

### **41-9.03 CONSTRUCTION**

#### **41-9.03A General**

Complete ISR—RSC adjacent to new pavement or existing pavement shown for construction as a 1st order of work. Replace individual slabs damaged during construction before placing final pavement delineation.

#### **41-9.03B Removing Existing Pavement**

Remove pavement under section 15-2.02. The Engineer determines the exact ISR—RSC limits after overlying layers are removed.

After removing pavement to the depth shown, grade to a uniform plane. Water as needed and compact the material remaining in place to a firm and stable base. The finished surface of the remaining material must not extend above the grade established by the Engineer.

#### **41-9.03C Drill and Bond Dowel Bars**

Drill existing concrete and bond dowel bars under section 41-10 if described. Do not install dowel bars in contraction joints.

#### **41-9.03D Base Bond Breaker**

Place base bond breaker before placing ISR—RSC. Comply with section 36-2.

#### **41-9.03E Placing Rapid Strength Concrete**

Do not place RSC if the ambient air temperature is forecast by the National Weather Service to be less than 40 degrees F within 72 hours of final finishing.

Before placing RSC against existing concrete, place 1/4-inch thick commercial quality polyethylene flexible foam expansion joint filler across the original transverse and longitudinal joint faces and extend the full depth of pavement to the top of the base layer. Place the top of the joint filler flush with the top of the pavement. Secure joint filler to the joint face of the existing pavement to prevent the joint filler from moving during the placement of RSC.

Use metal or wood side forms. Wood side forms must not be less than 1-1/2 inches thick. Side forms and connections must be of sufficient rigidity that movement will not occur under forces from equipment or RSC. Clean and oil side forms before each use. Side forms must remain in place until the pavement edge no longer requires the protection of forms.

After you place RSC, consolidate it using high-frequency internal vibrators adjacent to forms and across the full paving width. Place RSC as nearly as possible to its final position. Do not use vibrators for extensive shifting of concrete pavement.

Spread and shape RSC with powered finishing machines supplemented by hand finishing. After you mix and place RSC, do not add water to the surface to facilitate finishing. You may request authorization to use surface finishing additives. Submit the manufacturer's instructions with your request.

Place consecutive concrete loads without interruption. Do not allow cold joints where a visible lineation forms after concrete is placed, sets, and hardens before additional concrete placed.

Where the existing transverse joint spacing in an adjacent lane exceeds 15 feet, construct an additional transverse contraction joint midway between the existing joints. Complete sawing of contraction joints within 2 hours of completion of final finishing.

Cut contraction joints a minimum of 1/3 the slab depth.

#### **41-9.03F Final Finishing**

After preliminary finishing, round the edges of the initial paving width to a 0.04-foot radius. Round transverse and longitudinal construction joints to a 0.02-foot radius. Mark each ISR—RSC area with a stamp. The stamp mark must show the month, day, and year of placement and contract number. Level the location of the stamp with a steel trowel below the pavement texture. Orient the stamp mark so it can be read from the outside edge of ISR—RSC.

Before curing, texture the pavement. Perform initial texturing with a burlap drag or broom device that produces striations parallel to the centerline. Perform final texturing with a steel-tined device that produces grooves parallel with the centerline.

Tines must be from 3/32 to 1/8 inch wide on 3/4-inch centers and have enough length, thickness, and resilience to form grooves from 1/8 to 3/16 inch deep after the concrete has hardened. Grooves must extend over the entire pavement width except do not construct grooves 3 inches from longitudinal pavement edges or joints.

Final texture must be uniform and smooth. Grooves must be parallel and aligned to the pavement edge across the pavement width. The groove alignment must not vary more than 0.1 foot for every 12 foot length.

Protect RSC under section 90-1.03C.

#### **41-9.03G Temporary Pavement Structure**

Temporary pavement structure must be RSC or 3-1/2 inch thick HMA over aggregate base.

#### **41-9.03H Noncompliant Individual Slab Replacement**

Replace an ISR—RSC slab with any of the following:

1. One or more full-depth cracks.
2. Concrete raveling.
3. Noncompliant smoothness except you may request authorization for grinding under section 42 and retesting. Grinding that causes a depression will not be considered. Smoothness must be corrected within 48 hours of placing ISR—RSC.
4. Noncompliant modulus of rupture.

If the modulus of rupture at opening age is at least 400 psi and the modulus of rupture at 3 days is at least 500 psi but less than 600 psi, you may request authorization to leave the ISR—RSC in place and accept the specified deduction.

If pavement is noncompliant for coefficient of friction, groove or grind the pavement under section 42. Comply with section 40-1.03Q(4) and groove or grind before the installation of any required joint seal or edge drains adjacent to the areas to the noncompliant area.

If an ISR—RSC slab has partial depth cracking, treat it with high-molecular-weight methacrylate under section 41-3.

#### **41-9.03I Replace Pavement Delineation**

Replace traffic stripes, pavement markings, and markers that are removed, obliterated, or damaged by ISR—RSC under sections 84 and 85.

#### **41-9.03J Reserved**

#### **41-9.04 PAYMENT**

Replace base is not included in the payment for individual slab replacement (RSC).

Drill and bond dowel bars are not included in payment for individual slab replacement (RSC).

For individual slab replacement (RSC) with a modulus of rupture at opening age that is at least 400 psi and a modulus of rupture at 3 days that is greater than or equal to 500 psi but less than 550 psi, the Department deducts 10 percent of the payment for individual slab replacement (RSC).

For individual slab replacement (RSC) with a modulus of rupture at opening age that is at least 400 psi and a modulus of rupture at 3 days that is greater than or equal to 550 psi but less than 600 psi, the Department deducts 5 percent of the payment for individual slab replacement (RSC).

### **41-10 DRILL AND BOND BARS**

#### **41-10.01 GENERAL**

##### **41-10.01A Summary**

Section 41-10 includes specifications for drilling, installing, and bonding tie bars and dowel bars in concrete pavement.

##### **41-10.01B Definitions**

Reserved

##### **41-10.01C Submittals**

Submit a certificate of compliance for:

1. Tie bars
2. Dowel bars
3. Dowel bar lubricant
4. Chemical adhesive
5. Epoxy powder coating

At least 15 days before delivery to the job site, submit the manufacturer's recommendations and instructions for storage, handling, and use of chemical adhesive.

##### **41-10.01D Quality Control and Assurance**

###### **41-10.01D(1) General**

Drill and bond bar is accepted based on inspection before concrete placement.

###### **41-10.01D(2) Reserved**

#### **41-10.02 MATERIALS**

##### **41-10.02A General**

Dowel bar lubricant must comply with section 40-1.02D.

Chemical adhesive for drilling and bonding bars must be on the Authorized Material List. The Authorized Material List indicates the appropriate chemical adhesive system for concrete temperature and installation conditions.

Each chemical adhesive system container must clearly and permanently show the following:

1. Manufacturer's name
2. Model number of the system
3. Manufacture date
4. Batch number
5. Expiration date
6. Current International Conference of Building Officials Evaluation Report number
7. Directions for use
8. Storage requirement
9. Warnings or precautions required by state and federal laws and regulations

#### **41-10.02B Reserved**

#### **41-10.03 CONSTRUCTION**

##### **41-10.03A General**

Drill holes for bars. Clean drilled holes in compliance with the chemical adhesive manufacturer's instructions. Holes must be dry at the time of placing the chemical adhesive and bars. Use a grout retention ring when drilling and bonding dowel bars. Immediately after inserting the bar into the chemical adhesive, support the bar to prevent movement until chemical adhesive has cured the minimum time recommended by the manufacturer.

Apply dowel bar lubricant to the entire exposed portion of the dowel bar.

If the Engineer rejects a bar installation: stop paving, drilling, and bonding activities. Adjust your procedures and obtain the Engineer's verbal authorization before resuming paving, drilling, and bonding.

Cut the rejected bar flush with the pavement joint surface and coat the exposed end of the bar with chemical adhesive. Offset the new hole 3 inches horizontally from the rejected hole's center.

##### **41-10.03B Tie Bar Tolerance**

Place tie bars within the tolerances shown in the following table:

<b>Tie Bar Tolerances</b>	
Dimension	Tolerance
Horizontal skew (vertical skew: bar length)	1:6
Vertical skew (vertical skew: bar length)	1:6
Longitudinal translation (inch)	±1
Horizontal offset (embedment, inch)	±1
Height relative to the adjacent bar	±1
Vertical Depth (clearance from the pavement surface or bottom, inches, min)	3

##### **41-10.03C Dowel Bar Tolerance**

Place dowel bars within the tolerances specified in section 40-1.01D(7)(b)(v).

##### **41-10.03D Reserved**

#### **41-10.04 PAYMENT**

Not Used

#### **41-11–41-15 RESERVED**

AA

## **42 GROOVE AND GRIND CONCRETE**

07-19-13

**Replace the paragraph of section 42-1.01A with:**

07-19-13

Section 42-1 includes general specifications for grooving and grinding concrete.

**Replace the headings and paragraphs in section 42-3 with:**

07-19-13

### **42-3.01 GENERAL**

#### **42-3.01A Summary**

Section 42-3 includes specifications for grinding the surfaces of pavement, bridge decks, and approach slabs.

#### **42-3.01B Definitions**

Reserved

#### **42-3.01C Submittals**

Reserved

#### **42-3.01D Quality Control and Assurance**

Reserved

### **42-3.02 MATERIALS**

Not Used

### **42-3.03 CONSTRUCTION**

#### **42-3.03A General**

Grind surfaces in the longitudinal direction of the traveled way and grind the full lane width. Begin and end grinding at lines perpendicular to the roadway centerline.

Grinding must result in a parallel corduroy texture with grooves from 0.08 to 0.12 inch wide and from 55 to 60 grooves per foot of width. Grooves must be from 0.06 to 0.08 inch from the top of the ridge to the bottom of the groove.

Grind with abrasive grinding equipment using diamond cutting blades mounted on a self-propelled machine designed for grinding and texturing concrete pavements.

#### **42-3.03B Pavement**

Grind existing concrete pavement that is adjacent to an individual slab replacement. Grind the replaced individual slab and all the existing slabs immediately surrounding it. Grind after the individual slab is replaced.

Grind existing concrete pavement that is adjacent to new lanes of concrete pavement. Grind before paving.

After grinding, the existing pavement must comply with requirements for smoothness and coefficient of friction in section 40 except:

1. At the midpoint of a joint or crack, test smoothness with a straightedge. Both sides must have uniform texture.
2. Straightedge and inertial profiler requirements do not apply to areas abnormally depressed from subsidence or other localized causes. End smoothness testing 15 feet before and resume 15 feet after these areas.

3. Cross-slope must be uniform and have positive drainage across the traveled way and shoulder.

As an alternative to grinding existing concrete pavement, you may replace the existing pavement. The new concrete pavement must be the same thickness as the removed pavement. Replace existing pavement between longitudinal joints or pavement edges and transverse joints. Do not remove portions of slabs.

Replacement of existing concrete pavement must comply with requirements for individual slab replacement in section 41-9.

### 42-3.03C Bridge Decks, Approach Slabs, and Approach Pavement

Grind bridge decks, approach slabs, and approach pavement only if described.

The following ground areas must comply with the specifications for smoothness and concrete cover over reinforcing steel in section 51-1.01D(4):

1. Bridge decks
2. Approach slabs
3. Adjacent 50 feet of approach pavement

After grinding, the coefficient of friction must comply with section 51-1.01D(4).

#### 42-3.04 PAYMENT

Grinding existing approach slabs and adjacent 50 feet of approach pavement is paid for as grind existing bridge deck.

The Department does not pay for grinding replacement concrete pavement or for additional grinding to comply with smoothness requirements.

**Add to section 42:**

07-19-13

**42-4-42-9 RESERVED**

[illegible]

## DIVISION VI STRUCTURES

## 46 GROUND ANCHORS AND SOIL NAILS

07-19-13

**Replace the 1st paragraph of section 46-1.01C(2) with:**

04-19-13

Submit 5 copies of shop drawings to OSD, Documents Unit. Notify the Engineer of the submittal. Include in the notification the date and contents of the submittal. Allow 30 days for the Department's review. After review, submit from 6 to 12 copies, as requested, for authorization and use during construction.

Shop drawings and calculations must be sealed and signed by an engineer who is registered as a civil engineer in the State.

**Replace the 3rd paragraph of section 46-1.01C(2) with:**

01-18-13

Ground anchor shop drawings must include:

1. Details and specifications for the anchorage system and ground anchors.
2. Details for the transition between the corrugated plastic sheathing and the anchorage assembly.

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3. If shims are used during lock-off, shim thickness and supporting calculations.
4. Calculations for determining the bonded length. Do not rely on any capacity from the grout-to-ground bond within the unbonded length.

**Delete the 5th and 6th paragraphs of section 46-1.01C(2).**

01-18-13

**Replace the 4th paragraph of section 46-1.01D(2)(b) with:**

01-18-13

Each jack and its gage must be calibrated as a unit under the specifications for jacks used to tension prestressing steel permanently anchored at 25 percent or more of its specified minimum ultimate tensile strength in section 50-1.01D(3).

**Replace the 3rd paragraph of section 46-1.01D(2)(d) with:**

07-19-13

The Department may verify the test loads using the Department's load cells. If requested, install and support the Department's testing equipment during testing and remove the equipment after testing is complete.

**Add to section 46-1.02:**

07-19-13

**46-1.02C Grout**

Grout must consist of cement and water and may contain an admixture if authorized. Cement must comply with section 90-1.02B(2). Water must comply with section 90-1.02D. Admixtures must comply with section 90, except they must not contain chloride ions in excess of 0.25 percent by weight. Do not exceed 5 gallons of water per 94 lb of cement.

Mix the grout as follows:

1. Add water to the mixer followed by cement and any admixtures or fine aggregate.
2. Mix the grout with mechanical mixing equipment that produces a uniform and thoroughly mixed grout.
3. Agitate the grout continuously until the grout is pumped.
4. Do not add water after the initial mixing.

**Add to section 46-1.03B:**

04-20-12

Dispose of drill cuttings under section 19-2.03B.

**Add to the end of section 46-1.03C:**

07-19-13

Grouting equipment must be:

1. Capable of grouting at a pressure of at least 100 psi
2. Equipped with a pressure gage having a full-scale reading of not more than 300 psi

07-19-13

**Delete the 3rd paragraph of section 46-2.01A.**



**Add to the beginning of section 46-2.01C:**

07-19-13

Submittals for strand tendons, bar tendons, bar couplers, and anchorage assemblies must comply with section 50-1.01C.

**Add to section 46-2.01D:**

07-19-13

**46-2.01D(3) Steel**

Strand tendons, bar tendons, bar couplers, and anchorage assemblies must comply with section 50-1.01D.

**46-2.01D(4) Grout**

The Department tests the efflux time of the grout under California Test 541.

**Add to the beginning of section 46-2.02B:**

07-19-13

Strand tendons, bar tendons, and bar couplers must comply with section 50-1.02B.

**Replace the 1st paragraph of section 46-2.02E with:**

07-19-13

The efflux time of the grout immediately after mixing must be at least 11 seconds.

**Add between the 13th and 14th paragraphs of section 46-2.03A:**

07-19-13

If hot weather conditions will contribute to quick stiffening of the grout, cool the grout by authorized methods as necessary to prevent blockages during pumping activities.

**Add between the 1st and 2nd paragraphs of section 46-2.03D:**

07-19-13

Secure the ends of strand tendons with a permanent type anchorage system that:

1. Holds the prestressing steel at a force producing a stress of at least 95 percent of the specified ultimate tensile strength of the steel
2. Permanently secures the ends of the prestressing steel

**Replace the 2nd sentence of the 1st paragraph of section 46-3.02A with:**

07-19-13

The epoxy-coated prefabricated reinforcing bar must comply with section 52-2.03, except the epoxy thickness must be from 10 to 12 mils.

**Replace the 2nd paragraph of section 46-3.02B with:**

07-19-13

Concrete anchors on bearing plates must comply with the specifications for studs in clause 7 of AWS D1.1.

**Delete the 1st paragraph of section 46-3.02E.**

AA

## 47 EARTH RETAINING SYSTEMS

07-18-14

**Replace the 2nd paragraph of section 47-2.01D with:**

02-17-12

Coupler test samples must comply with minimum tensile specifications for steel wire in ASTM A 82/A 82M. Total wire slip must be at most 3/16 inch when tested under the specifications for tension testing of round wire test samples in ASTM A 370.

**Replace "78-80" in the 1st table in the 2nd paragraph of section 47-2.02C with:**

10-19-12

78-100

**Replace the value for the sand equivalent requirement in the 2nd table in the 3rd paragraph of section 47-2.02C with:**

01-20-12

12 minimum

**Replace the 1st paragraph of section 47-2.02E with:**

07-18-14

Steel wire must comply with the specifications for plain wire reinforcement in ASTM A1064/A1064M. Welded wire reinforcement must comply with the specifications for plain wire welded wire reinforcement in ASTM A1064/A1064M.

Hooks and bends must comply with the *Building Code Requirements for Structural Concrete* published by ACI.

**Replace section 47-3 with:**

07-19-13

### 47-3 REINFORCED CONCRETE CRIB WALLS

### 47-3.01 General

Section 47-3 includes specifications for constructing reinforced concrete crib walls.

Reinforced concrete crib walls must comply with section 51.

Reinforcement must comply with section 52.

Concrete crib walls consist of a series of rectangular cells composed of interlocking, precast, reinforced concrete headers, stretchers, and blocks.

## 47-3.02 Materials

### 47-3.02A General

Pads shown to be placed between bearing surfaces must either be (1) neoprene complying with the specifications for strip waterstops in section 51-2.05 or (2) commercial quality no. 30 asphalt felt. The protective board is not required for neoprene pads.

### **47-3.02B Crib Members**

#### **47-3.02B(1) General**

All members may be manufactured to dimensions 1/8 inch greater in thickness than shown. The thickness of the lowest step must not be less than the dimension shown.

Stretchers may be manufactured 1/2 inch less in length than shown.

When an opening is shown in the face of the wall, special length stretchers and additional headers may be necessary.

For non-tangent wall alignments, special length stretchers may be required.

For non-tangent wall alignments and at locations where filler blocks are required, special length front face closure members may be required.

#### **47-3.02B(2) Reinforcement**

Reinforcing wire must comply with ASTM A 496/A 496M.

For hoops or stirrups use either (1) reinforcing wire or (2) deformed steel welded wire reinforcement. The size must be equivalent to the reinforcing steel shown. Deformed steel welded wire reinforcement must comply with ASTM A 497/A 497M.

#### **47-3.02B(3) Concrete**

Concrete test cylinders must comply with section 90-1.01D(5), except when the penetration of fresh concrete is less than 1 inch, the concrete in the test mold must be consolidated by vibrating the mold equivalent to the consolidating effort being used to consolidate the concrete in the members.

Cure crib members under section 51-4.02C.

When removed from forms, the members must present a true surface of even texture, free from honeycombs and voids larger than 1 inch in diameter and 5/16 inch in depth. Clean and fill other pockets with mortar under sections 51-1.02F and 51-1.03E(2).

External vibration resulting in adequate consolidation may be used.

If the Engineer determines that rock pockets are of the extent or character as to affect the strength of the member or to endanger the life of the steel reinforcement, replace the member.

Finish concrete-to-concrete bearing surfaces to a smooth plane. Section 51-1.03F does not apply to concrete crib members.

### **47-3.03 Construction**

Place reinforced concrete crib walls to the lines and grades established by the Engineer. The foundation must be accepted by the Engineer before any crib members are placed.

The gap between bearing surfaces must not exceed 1/8 inch.

Where a gap of 1/16 inch to 1/8 inch exists or where shown, place a 1/16-inch pad of asphalt felt or sheet neoprene between the bearing surfaces.

### **47-3.04 Payment**

The area of reinforced concrete crib wall is measured on the batter at the outer face for the height from the bottom of the bottom stretcher to the top of the top stretcher and for a length measured from end to end of each section of wall.

**Add between the 3rd and 4th paragraphs of section 47-5.01:**

Reinforcement must comply with section 52.

10-19-12

10-19-12

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04-19-13

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## 48 TEMPORARY STRUCTURES

04-19-13

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09-16-11

09-16-11

- 09-16-11

**Add to section 48-2.01C(2):**

07-19-13

Shop drawings and calculations for falsework removal systems employing methods of holding falsework from above by winches, hydraulic jacks with prestressing steel, HS rods, or cranes must include:

1. Design code used for the analysis of the structural members of the independent support system
2. Provisions for complying with current Cal/OSHA requirements
3. Load tests and ratings within 1 year of intended use of hydraulic jacks and winches
4. Location of the winches, hydraulic jacks with prestressing steel, HS rods, or cranes
5. Analysis showing that the bridge deck and overhang are capable of supporting all loads at all time
6. Analysis showing that winches will not overturn or slide during all stages of loading
7. Location of deck and soffit openings if needed
8. Details of repair for the deck and soffit openings after falsework removal

**Replace the 1st paragraph of section 48-2.01D(2) with:**

04-19-13

Welding must comply with AWS D1.1 or other recognized welding standard, except for fillet welds where the load demands are 1,000 lb or less per inch for each 1/8 inch of fillet weld.

**Replace the 1st through 3rd sentences in the 2nd paragraph of section 48-2.01D(2) with:**

04-19-13

Perform NDT on welded splices using UT or RT. Each weld and any repair made to a previously welded splice must be tested.

**Replace the 3rd paragraph of section 48-2.01D(2) with:**

04-19-13

For previously welded splices, perform and document all necessary testing and inspection required to certify the ability of the falsework members to sustain the design stresses.

**Add to section 48-2.01D(3)(a):**

07-19-13

Falsework removal system employing methods of holding falsework from above and members of the independent support system must support the sum of the actual vertical and horizontal loads due to falsework materials, equipment, construction sequence or other causes, and wind loading. Identifiable mechanical devices used in the falsework removal plan must meet applicable industry standards and manufacturer instructions for safe load carrying capacity. Unidentifiable winches must be capable of carrying twice the design load.

The load used for the analysis of overturning moment and sliding of the winch system must be 150 percent of the design load.

**Add to section 48-2.03D:**

07-19-13

Falsework removal employing methods of holding falsework by winches, hydraulic jacks with prestressing steel, HS rods, or cranes must also be supported by an independent support system when the system is not actively lowering the falsework at vehicular, pedestrian, or railroad traffic openings.

Bridge deck openings used to facilitate falsework removal activities must be formed and located away from the wheel path. The formed openings must be wedge shaped with a 5-inch maximum diameter at the top and a 3-inch maximum diameter at the bottom.

Clean and roughen openings made in the bridge deck. Fill the deck openings with rapid setting concrete complying with section 15-5.02.

07-19-13

**Replace the definitions in section 49-2.02A(2) with:**

07-19-13

**shop welding:** Welding performed at a plant on the Department's Authorized Facility Audit List.

**field welding:** Welding not performed at a plant on the Department's Authorized Facility Audit List.

**Replace item 2 in the list in the paragraph of section 49-2.02A(3)(b) with:**

07-19-13

2. Certified mill test reports for each heat number of steel used in pipe piles being furnished.

**Replace the paragraph of section 49-2.02A(4)(a) with:**

07-19-13

Section 11-3.02 does not apply to shop welds in steel pipe piles fabricated at a facility on the Department's Authorized Facility Audit List.

For groove welds using submerged arc welding from both sides without backgouging, qualify the WPS under Table 4.5 of AWS D1.1.

**Replace "0.45" in the 2nd paragraph of section 49-2.02B(1)(a) with:**

07-19-13

0.47

**Replace the 1st paragraph of section 49-2.02B(1)(b) with:**

07-19-13

Welds must comply with AWS D1.1. Circumferential welds must be CJP welds.

**Delete the 5th paragraph of section 49-2.02B(1)(b).**

07-19-13

**Add to section 49-2.02B(1):**

07-19-13

**49-2.02B(1)(d) Reserved**

**Replace "4.8.4" in item 2.3 in the list in the 2nd paragraph of section 49-2.02B(2) with:**

07-19-13

4.9.4

**Delete the 3rd paragraph of section 49-2.02C(2).**

07-19-13

**Replace the paragraph of section 49-2.03A(1) with:**

07-19-13

Section 49-2.03 includes specifications for fabricating and installing structural shape steel piles.

**Replace the paragraph of section 49-2.03A(3) with:**

07-19-13

Submit a certified material test report and a certificate of compliance that includes a statement that all materials and workmanship incorporated in the work and all required tests and inspections of this work have been performed as described.

**Replace the 1st paragraph of section 49-2.03B with:**

07-19-13

Structural shape steel piles must comply with ASTM A 36/A 36M, ASTM A 572/A 572M, ASTM A 709/A 709M, or ASTM A 992/A 992M.

**Replace "sets" in the 1st paragraph of section 49-2.04A(3) with:**

04-19-13

copies

**Delete the 1st paragraph of section 49-2.04A(4).**

07-19-13

**Replace the 3rd and 4th paragraphs of section 49-2.04B(2) with:**

10-19-12

Piles in a corrosive environment must be steam or water cured under section 90-4.03.

If piles in a corrosive environment are steam cured, either:

1. Keep the piles continuously wet for at least 3 days. The 3 days includes the holding and steam curing periods.
2. Apply curing compound under section 90-1.03B(3) after steam curing.

**Replace the 1st paragraph of section 49-3.01A with:**

07-19-13

Section 49-3.01 includes general specifications for constructing CIP concrete piles.

**Add to section 49-3.01A:**

01-20-12

Concrete must comply with section 51.

**Replace the 1st paragraph of section 49-3.01C with:**

01-20-12

Except for CIDH concrete piles constructed under slurry, construct CIP concrete piles such that the excavation methods and the concrete placement procedures provide for placing the concrete against undisturbed material in a dry or dewatered hole.

**Replace "Reserved" in section 49-3.02A(2) with:**

01-20-12

**dry hole:**

1. Except for CIDH concrete piles specified as end bearing, a drilled hole that:



- 1.1. Accumulates no more than 12 inches of water in the bottom of the drilled hole during a period of 1 hour without any pumping from the hole during the hour.
- 1.2. Has no more than 3 inches of water in the bottom of the drilled hole immediately before placing concrete.
2. For CIDH concrete piles specified as end bearing, a drilled hole free of water without the use of pumps.

**Replace "Reserved" in section 49-3.02A(3)(a) with:**

01-20-12

If plastic spacers are proposed for use, submit the manufacturer's data and a sample of the plastic spacer. Allow 10 days for review.

**Replace item 5 in the list in the 1st paragraph of section 49-3.02A(3)(b) with:**

10-19-12

5. Methods and equipment for determining:
  - 5.1. Depth of concrete
  - 5.2. Theoretical volume of concrete to be placed, including the effects on volume if casings are withdrawn
  - 5.3. Actual volume of concrete placed

**Add to the list in the 1st paragraph of section 49-3.02A(3)(b):**

01-18-13

8. Drilling sequence and concrete placement plan.

**Replace item 2 in the list in the 1st paragraph of section 49-3.02A(3)(g) with:**

01-20-12

2. Be sealed and signed by an engineer who is registered as a civil engineer in the State. This requirement is waived for either of the following conditions:
  - 2.1. The proposed mitigation will be performed under the current Department-published version of *ADSC Standard Mitigation Plan 'A' - Basic Repair* without exception or modification.
  - 2.2. The Engineer determines that the rejected pile does not require mitigation due to structural, geotechnical, or corrosion concerns, and you elect to repair the pile using the current Department-published version of *ADSC Standard Mitigation Plan 'B' - Grouting Repair* without exception or modification.

**Replace "49-2.03A(4)(d)" in the 1st paragraph of section 49-3.02A(4)(d)(i) with:**

07-19-13

49-3.02A(4)(d)

**Add to the beginning of section 49-3.02A(4)(d)(ii):**

07-19-13

If the drilled hole is dry or dewatered without the use of temporary casing to control ground water, installation of inspection pipes is not required.

**Replace item 1 in the list in the 1st paragraph of section 49-3.02A(4)(d)(ii) with:**

01-20-12

1. Inspection pipes must be schedule 40 PVC pipe complying with ASTM D 1785 with a nominal pipe size of 2 inches. Watertight PVC couplers complying with ASTM D 2466 are allowed to facilitate pipe lengths in excess of those commercially available. Log the location of the inspection pipe couplers with respect to the plane of pile cutoff.

**Add to section 49-3.02A(4)(d)(iv):**

01-20-12

If the Engineer determines it is not feasible to use one of ADSC's standard mitigation plans to mitigate the pile, schedule a meeting and meet with the Engineer before submitting a nonstandard mitigation plan.

The meeting attendees must include your representatives and the Engineer's representatives involved in the pile mitigation. The purpose of the meeting is to discuss the type of pile mitigation acceptable to the Department.

Provide the meeting facility. The Engineer conducts the meeting.

**Replace the 1st paragraph of section 49-3.02B(5) with:**

07-19-13

Grout must consist of cementitious material and water, and may contain an admixture if authorized. Do not exceed 5 gallons of water per 94 lb of cement.

Cementitious material must comply with section 90-1.02B, except SCMs are not required.

Water must comply with section 90-1.02D. If municipally supplied potable water is used, the testing specified in section 90-1.02D is waived.

Admixtures must comply with section 90, except admixtures must not contain chloride ions in excess of 0.25 percent by weight.

Use aggregate to extend the grout as follows:

1. Aggregate must consist of at least 70 percent fine aggregate and approximately 30 percent pea gravel, by weight.
2. Fine aggregate must comply with section 90-1.02C(3).
3. Size of pea gravel must be such that 100 percent passes the 1/2-inch sieve, at least 85 percent passes the 3/8-inch sieve, and not more than 5 percent passes the no. 8 sieve.
4. Minimum cementitious material content of the grout must not be less than 845 lb/cu yd of grout.

Mix the grout as follows:

1. Add water to the mixer followed by cementitious material, aggregates, and any admixtures.
2. Mix the grout with mechanical mixing equipment that produces a uniform and thoroughly mixed grout.
3. Agitate the grout continuously until the grout is pumped.
4. Do not add water after initial mixing.

**Replace section 49-3.02B(8) with:**

01-20-12

**49-3.02B(8) Spacers**

Spacers must comply with section 52-1.03D, except you may use plastic spacers.

Plastic spacers must:

1. Comply with sections 3.4 and 3.5 of the Concrete Reinforcing Steel Institute's *Manual of Standard Practice*
2. Have at least 25 percent of their gross plane area perforated to compensate for the difference in the coefficient of thermal expansion between the plastic and concrete
3. Be of commercial quality

**Add between the 1st and 2nd paragraphs of section 49-3.02C(2):**

07-19-13

For CIDH concrete piles with a pile cap, the horizontal tolerance at the center of each pile at pile cut-off is the larger of 1/24 of the pile diameter or 3 inches. The horizontal tolerance for the center-to-center spacing of 2 adjacent piles is the larger of 1/24 of the pile diameter or 3 inches.

**Add between the 3rd and 4th paragraphs of section 49-3.02C(2):**

07-18-14

If drilling slurry is used during excavation, maintain the slurry level at least 10 feet above the piezometric head.

**Add to section 49-3.02C(4):**

01-20-12

Unless otherwise shown, the bar reinforcing steel cage must have at least 3 inches of clear cover measured from the outside of the cage to the sides of the hole or casing.

Place spacers at least 5 inches clear from any inspection tubes.

Place plastic spacers around the circumference of the cage and at intervals along the length of the cage, as recommended by the manufacturer.

07-19-13

For a single CIDH concrete pile supporting a column:

1. If the pile and the column share the same reinforcing cage diameter, this cage must be accurately placed as shown
2. If the pile reinforcing cage is larger than the column cage and the concrete is placed under dry conditions, maintain a clear horizontal distance of at least 3.5 inches between the two cages
3. If the pile reinforcing cage is larger than the column cage and the concrete is placed under slurry, maintain a clear horizontal distance of at least 5 inches between the two cages

**Replace section 49-3.02C(6) with:**

07-19-13

**49-3.02C(6) Construction Joint**

Section 49-3.02C(6) applies to CIDH concrete piles where a construction joint is shown.

If a permanent steel casing is not shown, you must furnish and install a permanent casing. The permanent casing must:

1. Be watertight and of sufficient strength to prevent damage and to withstand the loads from installation procedures, drilling and tooling equipment, lateral concrete pressures, and earth pressures.
2. Extend at least 5 feet below the construction joint. If placing casing into rock, the casing must extend at least 2 feet below the construction joint.
3. Not extend above the top of the drilled hole or final grade whichever is lower.
4. Not increase the diameter of the CIDH concrete pile more than 2 feet.



**Add to section 50-1.01C:**

07-19-13

**50-1.01C(5) Grout**

Submit a daily grouting report for each day grouting is performed. Submit the report within 3 days after grouting. The report must be signed by the technician supervising the grouting activity. The report must include:

1. Identification of each tendon
2. Date grouting occurred
3. Time the grouting started and ended
4. Date of placing the prestressing steel in the ducts
5. Date of stressing
6. Type of grout used
7. Injection end and applied grouting pressure
8. Actual and theoretical quantity of grout used to fill duct
9. Ratio of actual to theoretical grout quantity
10. Records of air, grout, and structure surface temperatures during grouting.
11. Summary of tests performed and results, except submit compressive strength and chloride ion test results within 48 hours of test completion
12. Names of personnel performing the grouting activity
13. Summary of problems encountered and corrective actions taken
14. Summary of void investigations and repairs made

**Replace the introductory clause in the 1st paragraph of section 50-1.01C(4) with:**

07-19-13

Submit test samples for the materials shown in the following table to be used in the work:

**Add between "the" and "test samples" in the 1st paragraph of section 50-1.01D(2):**

07-19-13

prestressing steel

**Replace the 3rd paragraph of section 50-1.01D(2) with:**

10-19-12

The Department may verify the prestressing force using the Department's load cells.

**Replace the 3rd paragraph in section 50-1.01D(3) with:**

07-19-13

Each pressure gage must be fully functional and have an accurately reading, clearly visible dial or display. The dial must be at least 6 inches in diameter and graduated in 100 psi increments or less.

**Add between the 5th and 6th paragraphs of section 50-1.01D(3):**

07-19-13

Each jack and its gages must be calibrated as a unit.

**Replace the 6th paragraph in section 50-1.01D(3) with:**

07-19-13

Each jack used to tension prestressing steel permanently anchored at 25 percent or more of its specified minimum ultimate tensile strength must be calibrated by METS within 1 year of use and after each repair. You must:

1. Schedule the calibration of the jacking equipment with METS
2. Mechanically calibrate the gages with a dead weight tester or other authorized means before calibration of the jacking equipment by METS
3. Verify that the jack and supporting systems are complete, with proper components, and are in good operating condition
4. Provide labor, equipment, and material to (1) install and support the jacking and calibration equipment and (2) remove the equipment after the calibration is complete
5. Plot the calibration results

Each jack used to tension prestressing steel permanently anchored at less than 25 percent of its specified minimum ultimate tensile strength must be calibrated by an authorized laboratory within 6 months of use and after each repair.

**Add to section 50-1.01D:**

07-19-13

**50-1.01D(4) Pressure Testing Ducts**

For post-tensioned concrete bridges, pressure test each duct with compressed air after stressing. To pressure test the ducts:

1. Seal all inlets, outlets, and grout caps.
2. Open all inlets and outlets on adjacent ducts.
3. Attach an air compressor to an inlet at 1 end of the duct. The attachment must include a valve that separates the duct from the air source.
4. Attach a pressure gage to the inlet at the end of the duct.
5. Pressurize the duct to 50 psi.
6. Lock-off the air source.
7. Record the pressure loss after 1 minute.
8. If there is a pressure loss exceeding 25 psi, repair the leaks with authorized methods and retest.

Compressed air used to clear and test the ducts must be clean, dry, and free of oil or contaminants.

**50-1.01D(5) Duct Demonstration of Post-Tensioned Members**

Before placing forms for deck slabs of box girder bridges, demonstrate that any prestressing steel placed in the ducts is free and unbonded. If no prestressing steel is in the ducts, demonstrate that the ducts are unobstructed.

If prestressing steel is installed after the concrete is placed, demonstrate that the ducts are free of water and debris immediately before installing the steel.

Before post-tensioning any member, demonstrate that the prestressing steel is free and unbonded in the duct.

The Engineer must witness all demonstrations.

**50-1.01D(6) Void Investigation**

In the presence of the Engineer, investigate the ducts for voids between 24 hours and 72 hours after grouting completion. As a minimum, inspect the inlet and outlet ports at the anchorages and at high points in the tendons for voids after removal. Completely fill any voids found with secondary grout.

#### **50-1.01D(7) Personnel Qualifications**

Perform post-tensioning field activities, including grouting, under the direct supervision of a technician certified as a level 2 Bonded PT Field Specialist through the Post-Tensioning Institute. Grouting activities may be performed under the direct supervision of a technician certified as a Grouting Technician through the American Segmental Bridge Institute.

#### **Replace the 6th paragraph of section 50-1.02B with:**

07-19-13

Package the prestressing steel in containers or shipping forms that protect the steel against physical damage and corrosion during shipping and storage.

#### **Replace the 13th paragraph of section 50-1.02B with:**

07-19-13

Prestressing steel is rejected if surface rust either:

1. Cannot be removed by hand-cleaning with a fine steel wool pad
2. Leaves pits visible to the unaided eye after cleaning

#### **Replace the 4th paragraph of section 50-1.02C with:**

07-19-13

Admixtures must comply with section 90, except admixtures must not contain chloride ions in excess of 0.25 percent by weight.

#### **Delete the 5th paragraphs of section 50-1.02C.**

07-19-13

#### **Add to section 50-1.02C:**

07-19-13

Secondary grout must:

1. Comply with ASTM C 1107
2. Not have a deleterious effect on the steel, concrete, or bond strength of the steel to concrete

#### **Replace item 9 including items 9.1 and 9.2 in the list in the 1st paragraph of section 50-1.02D with:**

07-19-13

9. Have an inside cross-sectional area of at least 2.5 times the net area of the prestressing steel for multistrand tendons

#### **Replace "3/8" in item 10 in the list in the 1st paragraph of section 50-1.02D with:**

07-19-13

1/2

#### **Delete the 2nd sentences in the 1st paragraph of section 50-1.02E.**

07-19-13

**Replace section 50-1.02F with:**

07-19-13

**50-1.02F Permanent Grout Caps**

Permanent grout caps for anchorage systems of post-tensioned tendons must:

1. Be glass-fiber-reinforced plastic with antioxidant additives. The environmental stress-cracking failure time must be at least 192 hours under ASTM D 1693, Condition C.
2. Completely cover and seal the wedge plate or anchorage head and all exposed metal parts of the anchorage against the bearing plate using neoprene O-ring seals.
3. Have a grout vent at the top of the cap.
4. Be bolted to the anchorage with stainless steel complying with ASTM F 593, alloy 316. All fasteners, including nuts and washers, must be alloy 316.
5. Be pressure rated at or above 150 psi.

**Add to section 50-1.02:**

09-16-11

**50-1.02G Sheathing**

Sheathing for debonding prestressing strand must:

1. Be split or un-split flexible polymer plastic tubing
2. Have a minimum wall thickness of 0.025 inch
3. Have an inside diameter exceeding the maximum outside diameter of the strand by 0.025 to 0.14 inch

Split sheathing must overlap at least 3/8 inch.

Waterproofing tape used to seal the ends of the sheathing must be flexible adhesive tape.

The sheathing and waterproof tape must not react with the concrete, coating, or steel.

**Replace the 2nd paragraph of section 50-1.03A(3) with:**

07-19-13

After installation, cover the duct ends and vents to prevent water or debris from entering.

**Add to section 50-1.03A(3):**

07-19-13

Support ducts vertically and horizontally during concrete placement at a spacing of at most 4 feet.

**Delete "at least" in the 1st paragraph of section 50-1.03B(1).**

07-19-13

**Add to section 50-1.03B(1):**

01-20-12

After seating, the maximum tensile stress in the prestressing steel must not exceed 75 percent of the minimum ultimate tensile strength shown.

07-19-13

**Delete the 1st through 4th paragraphs of section 50-1.03B(2)(a).**



**Replace "temporary tensile strength" in the 7th paragraph of section 50-1.03B(2)(a) with:**

07-19-13

temporary tensile stress

**Add to section 50-1.03B(2)(a):**

07-19-13

If prestressing strand is installed using the push-through method, use guide caps at the front end of each strand to protect the duct from damage.

**Add to the list in the 2nd paragraph of section 50-1.03B(2)(c):**

07-19-13

3. Be equipped with permanent grout caps

**Replace section 50-1.03B(2)(d) with:**

07-19-13

**50-1.03B(2)(d) Bonding and Grouting**

**50-1.03B(2)(d)(i) General**

Bond the post-tensioned prestressing steel to the concrete by completely filling the entire void space between the duct and the prestressing steel with grout.

Ducts, vents, and grout caps must be clean and free from water and deleterious materials that would impair bonding of the grout or interfere with grouting procedures. Compressed air used for cleaning must be clean, dry, and free of oil or contaminants.

Prevent the leakage of grout through the anchorage assembly by positive mechanical means.

Before starting daily grouting activities, drain the pump system to remove any water from the piping system.

Break down and thoroughly clean the pump and piping system after each grouting session.

After completing duct grouting activities:

1. Abrasive blast clean and expose the aggregate of concrete surfaces where concrete is to be placed to cover and encase the anchorage assemblies
2. Remove the ends of vents 1 inch below the roadway surface

**50-1.03B(2)(d)(ii) Mixing and Proportioning**

Proportion solids by weight to an accuracy of 2 percent.

Proportion liquids by weight or volume to an accuracy of 1 percent.

Mix the grout as follows:

1. Add water to the mixer followed by the other ingredients.
2. Mix the grout with mechanical mixing equipment that produces a uniform and thoroughly mixed grout without an excessive temperature increase or loss of properties of the mixture.
3. Do not exceed 5 gal of water per 94 lb of cement or the quantity of water in the manufacturer's instructions, whichever is less.
4. Agitate the grout continuously until the grout is pumped. Do not add water after the initial mixing.

**50-1.03B(2)(d)(iii) Placing**

Pump grout into the duct within 30 minutes of the 1st addition of the mix components.

Inject grout from the lowest point of the duct in an uphill direction in 1 continuous operation maintaining a one-way flow of the grout. You may inject from the lowest anchorage if complete filling is ensured.

Before injecting grout, open all vents.

Continuously discharge grout from the vent to be closed. Do not close any vent until free water, visible slugs of grout, and entrapped air have been ejected and the consistency of the grout flowing from the vent is equivalent to the injected grout.

Pump the grout at a rate of 16 to 50 feet of duct per minute.

Conduct grouting at a pressure range of 10 to 50 psi measured at the grout inlet. Do not exceed maximum pumping pressure of 150 psi at the grout inlet.

As grout is injected, close the vents in sequence in the direction of flow starting with the closest vent.

Before closing the final vent at the grout cap, discharge at least 2 gal of grout into a clean receptacle.

Bleed all high point vents.

Lock a pressure of 5 psi into the duct by closing the grout inlet valve.

#### **50-1.03B(2)(d)(iv) Weather Conditions**

If hot weather conditions will contribute to quick stiffening of the grout, cool the grout by authorized methods as necessary to prevent blockages during pumping activities.

If freezing weather conditions are anticipated during and following the placement of grout, provide adequate means to protect the grout in the ducts from damage by freezing.

#### **50-1.03B(2)(d)(v) Curing**

During grouting and for a period of 24 hours after grouting, eliminate vibration from contractor controlled sources within 100 feet of the span in which grouting is taking place, including from moving vehicles, jackhammers, large compressors or generators, pile driving activities, soil compaction, and falsework removal. Do not vary loads on the span.

For PC concrete members, do not move or disturb the members after grouting for 24 hours. If ambient temperature drops below 50 degrees F, do not move or disturb the members for 48 hours.

Do not remove or open valves until grout has cured for at least 24 hours.

#### **50-1.03B(2)(d)(vi) Grouting Equipment**

Grouting equipment must be:

1. Capable of grouting at a pressure of at least 100 psi
2. Equipped with a pressure gage having a full-scale reading of not more than 300 psi
3. Able to continuously grout the longest tendon on the project in less than 20 minutes

Grout must pass through a screen with clear openings of 1/16 inch or less before entering the pump.

Fit grout injection pipes, ejection pipes, and vents with positive mechanical shutoff valves capable of withstanding the pumping pressures. Do not remove or open valves until the grout has set. If authorized, you may substitute mechanical valves with suitable alternatives after demonstrating their effectiveness.

Provide a standby grout mixer and pump.

#### **50-1.03B(2)(d)(vii) Grout Storage**

Store grout in a dry environment.

**50-1.03B(2)(d)(viii) Blockages**

If the grouting pressure reaches 150 psi, close the inlet and pump the grout at the next vent that has just been or is ready to be closed as long as a one-way flow is maintained. Do not pump grout into a succeeding outlet from which grout has not yet flowed.

When complete grouting of the tendon cannot be achieved by the steps specified, stop the grouting operation.

**50-1.03B(2)(d)(ix) Secondary Grouting**

Perform secondary grouting by vacuum grouting under the direct supervision of a person who has been trained and has experience in the use of vacuum grouting equipment and procedures.

The vacuum grouting process must be able to determine the size of the void and measure the volume of grout filling the void.

Vacuum grouting equipment must consist of:

1. Volumeter for the measurement of void volume
2. Vacuum pump with capacity of at least 10 cfm and equipped with a flow meter capable of measuring the amount of grout being injected

**50-1.03B(2)(d)(x) Vertical Tendon Grouting**

Provide a standpipe at the upper end of the tendon to collect bleed water and allow it to be removed from the grout. The standpipe must be large enough to prevent the grout elevation from dropping below the highest point of the upper anchorage device. If the grout level drops to the highest point of the upper anchorage device, immediately add grout to the standpipe.

Remove the standpipe after the grout has hardened.

For vertical tendons in excess of 100 feet high or if grouting pressure exceeds 145 psi, inject grout at a higher vent from which grout has already flowed to maintain one-way flow.

**50-1.03B(2)(d)(xi) Vents**

Place vents at the following locations:

1. Anchorage areas at both ends of the tendon
2. Each high point
3. 4 feet upstream and downstream of each crest of a high point
4. Each change in the cross section of duct

**Add to section 50-1.03B(2):**

09-16-11

**50-1.03B(2)(e) Debonding Prestressing Strands**

Where shown, debond prestressing strands by encasing the strands in plastic sheathing along the entire length shown and sealing the ends of the sheathing with waterproof tape.

Distribute the debonded strands symmetrically about the vertical centerline of the girder. The debonded lengths of pairs of strands must be equal.

Do not terminate debonding at any one cross section of the member for more than 40 percent of the debonded strands or 4 strands, whichever is greater.

Thoroughly seal the ends with waterproof tape to prevent the intrusion of water or cement paste before placing the concrete.



**Replace the 4th paragraph in section 51-1.01D(4)(b) with:**

04-19-13

Except for POCs, surface smoothness is tested using a bridge profilograph under California Test 547. Two profiles are obtained in each lane approximately 3 feet from the lane lines and 1 profile is obtained in each shoulder approximately 3 feet from the curb or rail face. Profiles are taken parallel to the direction of traffic.

**Add between the 5th and 6th paragraphs of section 51-1.01D(4)(b):**

04-19-13

POC deck surfaces must comply with the following smoothness requirements:

1. Surfaces between grade changes must not vary more than 0.02 foot from the lower edge of a 12-foot-long straightedge placed parallel to the centerline of the POC
2. Surface must not vary more than 0.01 foot from the lower edge of a 6-foot-long straightedge placed perpendicular to the centerline of the POC

**Add to section 51-1.01D(4)(d):**

04-19-13

The Engineer measures crack intensity of POC deck surfaces after curing, before prestressing, and before falsework release. Clean the surface for the Engineer to measure surface crack intensity.

In any 100 sq ft portion of a new POC deck surface, if there are more than 10 feet of cracks having a width at any point of over 0.02 inch, treat the deck with methacrylate resin under section 15-5.05. Treat the entire deck width between the curbs to 5 feet beyond where the furthest continuous crack emanating from the 100 sq ft section is 0.02 inch wide. Treat the deck surface before grinding.

**Replace the 2nd paragraph of section 51-1.02B with:**

07-19-13

Except for minor structures, the minimum required 28-day compressive strength for concrete in structures or portions of structures is the compressive strength described or 3,600 psi, whichever is greater.

**Add to section 51-1.03C(2)(c)(i):**

04-20-12

Permanent steel deck forms are only allowed where shown or if specified as an option in the special provisions.

**Replace the 3rd paragraph of section 51-1.03C(2)(c)(ii) with:**

04-20-12

Compute the physical design properties under AISI's *North American Specification for the Design of Cold-Formed Steel Structural Members*.

**Replace the 8th paragraph of section 51-1.03D(1) with:**

10-19-12

Except for concrete placed as pipe culvert headwalls and endwalls, slope paving and aprons, and concrete placed under water, consolidate concrete using high-frequency internal vibrators within 15 minutes of placing concrete in the forms. Do not attach vibrators to or hold them against forms or reinforcing steel. Do not displace reinforcement, ducts, or prestressing steel during vibrating.

**Add to section 51-1.03E(5):**

08-05-11

Drill the holes without damaging the adjacent concrete. If reinforcement is encountered during drilling before the specified depth is attained, notify the Engineer. Unless coring through the reinforcement is authorized, drill a new hole adjacent to the rejected hole to the depth shown.

**Add to section 51-1.03F(5)(a):**

04-19-13

For approach slabs, sleeper slabs, and other roadway surfaces of concrete structures, texture the roadway surface as specified for bridge deck surfaces in section 51-1.03F(5)(b).

**Replace "Reserved" in section 51-1.03F(5)(b) with:**

07-18-14

**51-1.03F(5)(b)(i) General**

Except for bridge widenings, texture roadway surfaces of bridge decks, approach slabs, and sleeper slabs, and other roadway surfaces of concrete structures longitudinally by grinding and grooving or by longitudinal tining.

For bridge widenings, texture the roadway surfaces longitudinally by longitudinal tining.

04-20-12

In freeze-thaw areas, do not texture PCC surfaces of bridge decks.

**51-1.03F(5)(b)(ii) Grinding and Grooving**

When texturing the deck surface by grinding and grooving, place a 1/4 inch of sacrificial concrete cover on the bridge deck above the finished grade shown. Place items to be embedded in the concrete based on the final profile grade elevations shown. Construct joint seals after completing the grinding and grooving.

Before grinding and grooving, deck surfaces must comply with the smoothness and deck crack treatment requirements.

Grind and groove the deck surface as follows:

1. Grind the surface to within 18 inches of the toe of the barrier under section 42-3. Grinding must not reduce the concrete cover on reinforcing steel to less than 1-3/4 inches.
2. Groove the ground surfaces longitudinally under section 42-2. The grooves must be parallel to the centerline.

**51-1.03F(5)(b)(iii) Longitudinal Tining**

When texturing the deck surface by longitudinal tining, perform initial texturing with a burlap drag or broom device that produces striations parallel to the centerline. Perform final texturing with spring steel tines that produce grooves parallel with the centerline.

The tines must:

1. Be rectangular in cross section
2. Be from 3/32 to 1/8 inch wide on 3/4-inch centers
3. Have enough length, thickness, and resilience to form grooves approximately 3/16 inch deep

Construct grooves to within 6 inches of the layout line of the concrete barrier toe. Grooves must be from 1/8 to 3/16 inch deep and 3/16 inch wide after concrete has hardened.

For irregular areas and areas inaccessible to the grooving machine, you may hand construct grooves. Hand-constructed grooves must comply with the specifications for machine-constructed grooves.

Tining must not cause tearing of the deck surface or visible separation of coarse aggregate at the surface.

**Add to section 51-1.03F:**

04-19-13

**51-1.03F(6) Finishing Pedestrian Overcrossing Surfaces**

Construct deck surfaces, including ramps and landings of POCs to the grade and cross section shown. Surfaces must comply with the specified smoothness, surface texture, and surface crack requirements.

The Engineer sets deck elevation control points for your use in establishing the grade and cross section of the deck surface. The grade established by the deck elevation control points includes all camber allowances. Except for landings, elevation control points include the beginning and end of the ramp and will not be closer together than approximately 8 feet longitudinally and 4 feet transversely to the POC centerline. Landing elevation control points are at the beginning and the end of the landing.

Broom finish the deck surfaces of POCs. Apply the broom finish perpendicular to the path of travel. You may apply water mist to the surface immediately before brooming.

Clean any discolored concrete by abrasive blast cleaning or other authorized methods.

**Replace the paragraphs of section 51-1.04 with:**

10-19-12

If concrete involved in bridge work is not designated by type and is not otherwise paid for under a separate bid item, the concrete is paid for as structural concrete, bridge.

The payment quantity for structural concrete includes the volume in the concrete occupied by bar reinforcing steel, structural steel, prestressing steel materials, and piling.

The payment quantity for seal course concrete is the actual volume of seal course concrete placed except the payment quantity must not exceed the volume of concrete contained between vertical planes 1 foot outside the neat lines of the seal course shown. The Department does not adjust the unit price for an increase or decrease in the seal course concrete quantity.

Structural concrete for pier columns is measured as follows:

1. Horizontal limits are vertical planes at the neat lines of the pier column shown.
2. Bottom limit is the bottom of the foundation excavation in the completed work.
3. Upper limit is the top of the pier column concrete shown.

The payment quantity for drill and bond dowel is determined from the number and depths of the holes shown.

**Replace section 51-2.01B(2) with:**

04-19-13

**51-2.01B(2) Reserved**

04-19-13

**Delete the 4th paragraph of section 51-2.01C.**

**Replace "SSPC-QP 3" in the 1st paragraph of section 51-2.02A(2) with:**

10-19-12

AISC-420-10/SSPC-QP 3

**Replace the 2nd and 3rd paragraphs of section 51-2.02B(3)(b) with:**

04-20-12

Concrete saws for cutting grooves in the concrete must have diamond blades with a minimum thickness of 3/16 inch. Cut both sides of the groove simultaneously for a minimum 1st pass depth of 2 inches. The completed groove must have:

1. Top width within 1/8 inch of the width shown or ordered
2. Bottom width not varying from the top width by more than 1/16 inch for each 2 inches of depth
3. Uniform width and depth

Cutting grooves in existing decks includes cutting any conflicting reinforcing steel.

**Replace "sets" in the 1st and 2nd paragraphs of section 51-2.02D(1)(c)(ii) with:**

04-19-13

copies

**Replace "set" in the 7th paragraph of section 51-2.02D(1)(c)(ii) with:**

04-19-13

copy

**Add to the 1st paragraph of section 51-2.02D(3):**

04-19-13

POC deck surfaces must comply with section 51-1.03F(6) before placing and anchoring joint seal assemblies.

**Replace "sets" in the 2nd paragraph of section 51-2.02E(1)(c) with:**

04-19-13

copies

**Replace "set" in the 6th paragraph of section 51-2.02E(1)(c) with:**

04-19-13

copy

**Replace the 2nd paragraph of section 51-2.02E(1)(e) with:**

08-05-11

Except for components in contact with the tires, the design loading must be the AASHTO LRFD Bridge Design Specifications Design Truck with 100 percent dynamic load allowance. Each component in contact with the tires must support a minimum of 80 percent of the AASHTO LRFD Bridge Design Specifications Design Truck with 100 percent dynamic load allowance. The tire contact area must be 10 inches measured normal to the longitudinal assembly axis by 20 inches wide. The assembly must provide a smooth-riding joint without slapping of components or tire rumble.

**Replace "sets" in the 1st and 2nd paragraphs of section 51-2.02F(1)(c) with:**

04-19-13

copies



**Add between the 1st and 2nd paragraphs of section 51-4.01A:**

10-19-12

Prestressing concrete members must comply with section 50.

**Delete the 2nd paragraph of section 51-4.01A.**

04-20-12

**Replace the 3rd paragraph of section 51-4.01C(2) with:**

04-20-12

For segmental or spliced-girder construction, shop drawings must include the following additional information:

1. Details showing construction joints or closure joints
2. Arrangement of bar reinforcing steel, prestressing tendons, and pressure-grouting pipe
3. Materials and methods for making closures
4. Construction joint keys and surface treatment
5. Other requested information

For segmental girder construction, shop drawings must include concrete form and casting details.

**Replace "sets" in the 1st paragraph of section 51-4.01C(3) with:**

04-19-13

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**Delete the 1st and 2nd paragraphs of section 51-4.02A.**

10-19-12

**Replace the 3rd paragraph of section 51-4.02B(2) with:**

04-20-12

For segmental or spliced-girder construction, materials for construction joints or closure joints at exterior girders must match the color and texture of the adjoining concrete.

**Add to section 51-4.02B(2):**

04-20-12

At spliced-girder closure joints:

1. If shear keys are not shown, the vertical surfaces of the girder segment ends must be given a coarse texture as specified for the top surface of PC members.
2. Post-tensioning ducts must extend out of the vertical surface of the girder segment closure end sufficiently to facilitate splicing of the duct.

For spliced girders, pretension strand extending from the closure end of the girder segment to be embedded in the closure joint must be free of mortar, oil, dirt, excessive mill scale and scabby rust, and other coatings that would destroy or reduce the bond.

**Add to section 51-4.03B:**

04-20-12

The specifications for prestressing force distribution and sequencing of stressing in the post-tensioning activity in 50-1.03B(2)(a) do not apply if post-tensioning of spliced girders before starting deck construction is described. The composite deck-girder structure must be post-tensioned in a subsequent stage.

Temporary spliced-girder supports must comply with the specifications for falsework in section 48-2.

Before post-tensioning of spliced girders, remove the forms at CIP concrete closures and intermediate diaphragms to allow inspection for concrete consolidation.

**Add to section 51-5.01A:**

07-19-13

Structure excavation and backfill must comply with section 19-3.

Treated permeable base must comply with section 29.

**Replace the paragraph in section 51-5.02G with:**

04-18-14

HMA for a temporary roadway structural section must comply with the specifications for minor HMA in section 39.

**Delete the 1st paragraph of section 51-5.03B(3).**

07-19-13

**Delete the 2nd paragraph of section 51-5.03D(1).**

07-19-13

**Add between the 1st and 2nd paragraphs of section 51-7.01A:**

10-19-12

Minor structures include:

1. Pipe culvert headwalls and endwalls for a pipe with a diameter less than 5 feet
2. Drainage inlets
3. Other structures described as minor structures

**Delete the 4th paragraph of section 51-7.01A.**

10-19-12

**Replace the 1st and 2nd paragraphs of section 51-7.01B with:**

10-19-12

Concrete must comply with the specifications for minor concrete.

**Add to section 51:**

10-19-12

**51-8-51-15 RESERVED**

AA

## 52 REINFORCEMENT

07-18-14

### Add to section 52-1.01A:

07-20-12

Splicing of bar reinforcement must comply with section 52-6.

### Replace the 1st and 2nd paragraphs of section 52-1.02B with:

10-19-12

Reinforcing bars must be deformed bars complying with ASTM A 706/A 706M, Grade 60, except you may use:

1. Deformed bars complying with ASTM A 615/A 615M, Grade 60, in:
  - 1.1. Junction structures
  - 1.2. Sign and signal foundations
  - 1.3. Minor structures
  - 1.4. Concrete crib members
  - 1.5. Mechanically-stabilized-embankment concrete panels
  - 1.6. Masonry block sound walls
2. Deformed or plain bars complying with ASTM A 615/A 615M, Grade 40 or 60, in:
  - 2.1. Slope and channel paving
  - 2.2. Concrete barriers Type 50 and 60
3. Plain bars for spiral or hoop reinforcement in structures and concrete piles

### Add to the list in the 3rd paragraph of section 52-1.02B:

04-20-12

9. Shear reinforcement stirrups in PC girders

### Replace the 9th paragraph of section 52-1.03D with:

07-18-14

Terminate each unit of spiral reinforcement at both ends by lapping the spiral reinforcement on itself for at least 80 diameters followed by (1) a 135-degree hook with a 6-inch tail hooked around an intersecting longitudinal bar or (2) a mechanical lap splice coupler. Discontinuities in spiral reinforcement may be made only where shown or authorized. The spiral on each side of a discontinuity or a lap splice is a separate unit. Where discontinuities in spiral reinforcement are not allowed, splice the spiral reinforcement. Lap splices in spiral reinforcement must be lapped at least 80 diameters followed by (1) a 135-degree hook with a 6-inch tail hooked around an intersecting longitudinal bar or (2) a mechanical lap splice coupler.

### Add to section 52-5.01D:

07-18-14

#### 52-5.01D(4) Quality Assurance Testing

Secure, identify, and transport QA headed bar reinforcement test samples to METS as specified for splice test samples in section 52-5.01D(3)(b).

The Department tests headed bar reinforcement as specified for QC testing in section 52-5.01D(3)(b).



## 04-18-14

04-20-12

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04-18-14

Do not allow traffic on the seal until HMA is placed over it.

07-19-13

Reserved

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04-19-13

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
 April 2017

**Replace the list in the 2nd paragraph of section 55-1.01C(2) with:**

07-19-13

1. Sequence of shop and field assembly and erection. For continuous members, include proposed steel erection procedures with calculations that show girder capacity and geometry will be correct.
2. Welding sequences and procedures.
3. Layout drawing of the entire structure with locations of butt welded splices.
4. Locations of temporary supports and welds.
5. Vertical alignment of girders at each stage of erection.
6. Match-marking diagrams.
7. Details for connections not shown or dimensioned on the plans.
8. Details of allowed options incorporated in the work.
9. Direction of rolling of plates where orientation is specified.
10. Distortion control plan.
11. Dimensional tolerances. Include measures for controlling accumulated error to meet overall tolerances.
12. Material specification and grade listed on the bill of materials.
13. Identification of tension members and fracture critical members.
14. Proposed deviations from plans, specifications, or previously submitted shop drawings.
15. Contract plan sheet references for details.

**Replace items 2 and 3 in the list in the 1st paragraph of section 55-1.01C(3) with:**

07-19-13

2. Tension flanges and webs of horizontally curved girders
3. Hanger plates

**Replace the 2nd paragraph of section 55-1.01C(3) with:**

07-19-13

Furnish plates, shapes, or bars with extra length to provide for removal of check samples.

**Delete the 1st and 2nd sentences in the 3rd paragraph of section 55-1.01C(3).**

07-19-13

**Replace the 4th paragraph of section 55-1.01C(3) with:**

07-19-13

Remove material for test samples in the Engineer's presence. Test samples for plates over 24 inches wide must be 10 by 12 inches with the long dimension transverse to the direction of rolling. Test samples for other products must be 12 inches long taken in the direction of rolling with a width equal to the product width.

**Replace the 1st sentence of the 6th paragraph in section 55-1.01C(3) with:**

07-19-13

Results of check testing are delivered to you within 20 days of receipt of samples at METS.

**Delete the 2nd paragraph of section 55-1.01D(1).**

07-19-13

**Replace the 2nd sentence of the 4th paragraph in section 55-1.01D(1) with:**

07-19-13

The calibration must be performed by an authorized repair and calibration center approved by the tool manufacturer.

**Add to section 55-1.01D(1):**

07-19-13

For bolts installed as snug tight, rotational capacity testing and installation tension testing are not required.

In addition to NDT requirements in AWS D1.5, ultrasonically test 25 percent of all main member tension butt welds in material over 1/2 inch thick.

Perform NDT on 100 percent of each pin as follows:

1. MT under ASTM A 788, S 18, with no linear indication allowed exceeding 3 mm
2. UT under ASTM A 788, S 20, level S and level DA in two perpendicular directions

The Engineer determines the location of all NDT testing for welding.

07-19-13

**Delete the 2nd paragraph of section 55-1.01D(3)(a).**

**Replace section 55-1.01D(4)(b) with:**

07-19-13

Perform rotational capacity testing on each rotational capacity lot under section 55-1.01D(3)(b) at the job site before installation.

**Replace the 1st sentence of the 2nd paragraph in section 55-1.01D(4)(c) with:**

07-19-13

Test 3 representative HS fastener assemblies under section 8 of *Specification for Structural Joints Using High-Strength Bolts* of the RCSC.

**Replace the 1st paragraph in section 55-1.01D(4)(d) with:**

07-19-13

Perform fastener tension testing to verify minimum tension in HS bolted connections no later than 48 hours after all fasteners in a connection have been tensioned.

**Replace the 3rd paragraph in section 55-1.01D(4)(d) with:**

07-19-13

Test 10 percent of each type of fastener assembly in each HS bolted connection for minimum tension using the procedure described in section 10 of *Specification for Structural Joints Using High-Strength Bolts* of the RCSC. Check at least 2 assemblies per connection. For short bolts, determine the inspection torque using steps 1 through 7 of "Arbitration of Disputes, Torque Method-Short Bolts" in *Structural Bolting Handbook* of the Steel Structures Technology Center.

Replace the 1st table in the 1st paragraph of section 55-1.02A(1) with:

07-19-13

**Structural Steel**

Material	Specification
Carbon steel	ASTM A 709/A 709M, Grade 36 or {ASTM A36/A36M} <sup>a</sup>
HS low alloy columbium vanadium steel	ASTM A 709/A 709M, Grade 50 or {ASTM A 992/A 992M or ASTM A 572/A 572M, Grade 50} <sup>a</sup>
HS low alloy structural steel	ASTM A 709/A 709M, Grade 50W or Grade HPS 50W, or {ASTM A 588/A 588M} <sup>a</sup>
HS low alloy structural steel plate	ASTM A 709/A 709M, Grade HPS 70W
High-yield strength quenched and tempered alloy steel plate suitable for welding	ASTM A 709/A 709M, Grade 100, Grade 100W, or Grade HPS 100W, or {ASTM A 514/A 514M} <sup>a</sup>

<sup>a</sup>Grades you may substitute for the equivalent ASTM A 709 steel subject to the modifications and additions specified and to the requirements of ASTM A 709.

Replace the 2nd table in the 1st paragraph of section 55-1.02A(1) with:

07-19-13

**Fasteners**

Material	Specification
Steel fastener components for general applications:	
Bolts and studs	ASTM A 307
Anchor bolts	ASTM F 1554 <sup>a</sup>
HS bolts and studs	ASTM A 449, Type 1 <sup>a</sup>
HS threaded rods	ASTM A 449, Type 1 <sup>a</sup>
HS nonheaded anchor bolts	ASTM F 1554, Grade 105, Class 2A <sup>a</sup>
Nuts	ASTM A 563, including appendix X1 <sup>b</sup>
Washers	ASTM F 844
Hardened Washers	ASTM F 436, Type 1, including S1 supplementary requirements
Components of HS steel fastener assemblies for use in structural steel joints:	
Bolts	ASTM A 325, Type 1
Tension control bolts	ASTM F 1852, Type 1
Nuts	ASTM A 563, including appendix X1 <sup>b</sup>
Hardened washers	ASTM F 436, Type 1, Circular, including S1 supplementary requirements
Direct tension indicators	ASTM F 959, Type 325, zinc-coated

<sup>a</sup>Use hardened washers.

<sup>b</sup>Zinc-coated nuts tightened beyond snug or wrench tight must be furnished with a dry lubricant complying with supplementary requirement S2 in ASTM A 563.



Replace the 3rd table in the 1st paragraph of section 55-1.02A(1) with:

07-19-13

**Other Materials**

Material	Specification
Carbon steel for forgings, pins, and rollers	ASTM A 668/A 668M, Class D
Alloy steel for forgings	ASTM A 668/A 668M, Class G
Pin nuts	ASTM A 709/A 709M or ASTM A 563, including appendix X1 <sup>a</sup>
Carbon-steel castings	ASTM A 27/A 27M, Grade 65-35, Class 1
Malleable iron castings	ASTM A 47/A 47M, Grade 32510
Gray iron castings	ASTM A 48, Class 30B
Carbon steel structural tubing	ASTM A 500/A 500M, Grade B, ASTM A 501, ASTM A 847/A 847M, or ASTM A 1085
Steel pipe <sup>b</sup>	ASTM A 53, Type E or S, Grade B; ASTM A 106, Grade B; or ASTM A 139, Grade B
Stud connectors	ASTM A 108

<sup>a</sup>Zinc-coated nuts tightened beyond snug or wrench tight must be furnished with a dry lubricant complying with supplementary requirement S2 in ASTM A 563.

<sup>b</sup>Hydrostatic testing will not apply.

Replace the table in the 1st paragraph in section 55-1.02A(2) with:

07-19-13

Material complying with ASTM A 709/A 709M	CVN impact value (ft-lb at temperature)
Grade 36	15 at 40 °F
Grade 50 <sup>a</sup> (Thickness up to 2 inches)	15 at 40 °F
Grade 50W <sup>a</sup> (Thickness up to 2 inches)	15 at 40 °F
Grade 50 <sup>a</sup> (Thickness over 2 inches up to 4 inches )	20 at 40 °F
Grade 50W <sup>a</sup> (Thickness over 2 inches up to 4 inches)	20 at 40 °F
Grade HPS 50W <sup>a</sup> (Thickness up to 4 inches)	20 at 10 °F
Grade HPS 70W (Thickness up to 4 inches)	25 at -10 °F
Grade 100 (Thickness of 2-1/2 inches or less)	25 at 0 °F
Grade 100W (Thickness over 2-1/2 inches up to 4 inches)	35 at 0 °F
Grade HPS 100W (Thickness of 2-1/2 inches or less)	25 at -30 °F
Grade HPS 100W (Thickness over 2-1/2 inches up to 4 inches)	35 at -30 °F

<sup>a</sup>If the material yield strength is more than 65,000 psi, reduce the temperature for the CVN impact value 15 degrees F for each increment of 10,000 psi above 65,000 psi.

Replace the 1st sentence of the 1st paragraph in section 55-1.02A(5) with:

07-19-13

Steel, gray iron, and malleable iron castings must have continuous fillets cast in place in reentrant angles.

**Delete the 3rd and 4th sentences in the 2nd paragraph in section 55-1.02A(5).**

07-19-13

**Replace the 1st paragraph of section 55-1.02B(1) with:**

07-19-13

Section 55-1.02B(1) applies to work performed at the source and at the job site.

**Replace the 4th paragraph in section 55-1.02B(1) with:**

07-19-13

Ends of girder stiffeners shown as tight-fit must bear on the girder flange with at least point bearing. Local clearances between the end of the stiffener and the girder flange must be at most 1/16 inch.

**Replace the 1st sentence of the 5th paragraph in section 55-1.02B(1) with:**

07-19-13

Fabricate floor beams, stringers, and girders having end connection angles to exact length back to back of connection angles.

**Add to the 7th paragraph in section 55-1.02B(1):**

07-19-13

Use low-stress stamps for fracture critical members and tension members.

**Replace the 2nd sentence of the 9th paragraph in section 55-1.02B(1) with:**

07-19-13

Slightly round edges and sharp corners, including edges marred, cut, or roughened during handling or erection.

**Replace the 3rd paragraph in section 55-1.02B(2) with:**

07-19-13

Instead of machining, you may heat straighten steel not in contact with other metal bearing surfaces if the above tolerances are met.

**Replace item 2 in the list in the 1st paragraph of section 55-1.02B(3) with:**

07-19-13

2. Radius of bend measured to the concave face must comply with *Manual of Steel Construction* of the AISC

**Replace the 1st sentence of the 2nd paragraph in section 55-1.02B(3) with:**

07-19-13

Plates to be bent to a smaller radius than specified in *Manual of Steel Construction* of the AISC must be bent hot.

**Replace the introductory clause of the 2nd paragraph of section 55-1.02B(4) with:**

07-19-13

Threads for pin ends and pin nuts 1-1/2 inches or more in diameter must comply with the following:

**Replace the 3rd paragraph in section 55-1.02B(5) with:**

07-19-13

Holes for pins must be:

1. True to the diameter specified.
2. At right angles to the member axis.
3. Parallel with each other except for pins where nonparallel holes are required.
4. Smooth and straight with the final surface produced by a finishing cut.

**Replace the 1st paragraph in section 55-1.02B(6)(c) with:**

07-19-13

Bolted connections using HS fastener assemblies must comply with *Specification for Structural Joints Using High-Strength Bolts* of the RCSC.

**Replace the 7th paragraph in section 55-1.02B(6)(c) with:**

07-19-13

For all bolts, thread stickout after tensioning must be at least flush with the outer nut face. At least 3 full threads must be located within the grip of the connection.

**Delete the 3rd paragraph in section 55-1.02B(7)(a).**

07-19-13

**Add to section 55-1.02B(7)(a):**

07-19-13

For welds indicated to be subject to tensile forces that are to receive RT, grind smooth and flush on both sides of welds before testing.

For groove weld surface profiles that interfere with NDT procedures, grind welds smooth and blend with the adjacent material.

For fillet weld surface profiles that interfere with NDT procedures, grind welds and blend the toes smoothly with the adjacent base metal.

**Add to section 55-1.02B(7):**

07-19-13

**55-1.02B(7)(c) Steel Pedestrian Bridges**

Reserved

**Replace the 1st paragraph in section 55-1.02B(9) with:**

07-19-13

Prepare and paint contact surfaces of HS bolted connections before assembly. Thoroughly clean all other surfaces of metal in contact to bare metal before assembly. Remove all rust, mill scale, and foreign material.

**Replace the 1st sentence of the 4th paragraph in section 55-1.02B(9) with:**

07-19-13

Preassemble truss work in lengths of at least 3 abutting panels and adjust members for line and camber.

**Replace the 1st sentence of the 5th paragraph in section 55-1.02B(9) with:**

07-19-13

Preassemble bolted splice joints for plate girders in lengths of at least 3 abutting sections and adjust abutting sections for line and camber.

**Replace the 6th paragraph in section 55-1.02B(9) with:**

07-19-13

Preassemble prepared splice joints for welded girders with abutting members and adjust for line and camber.

**Replace the paragraphs in section 55-1.03C(1) with:**

07-19-13

Reserved

**Replace the 3rd sentence of the 1st paragraph in section 55-1.03C(2) with:**

07-19-13

Attain full bearing on the concrete under bearing assemblies.

**Replace the 3rd paragraph in section 55-1.03C(2) with:**

07-19-13

During welding, protect bearings and bearing surfaces using authorized methods.

**Replace section 55-1.03C(4) with:**

07-19-13

**55-1.03C(4) Continuous Members**

Unless otherwise shown, structural steel girders are designed for continuity in supporting girder dead load. If erection procedures provide girder continuity for dead load, preassemble members with field joints in a no-load condition in a horizontal or an upright condition.

You may erect structural steel girders such that dead load girder continuity is not provided. If erection procedures do not provide girder continuity for dead load:

1. You may increase cross-sectional areas or change grades of steel to provide the specified capacity if authorized.
2. After erection, the erected structure must have a load-carrying capacity at least equal to the structure shown.

AA

## 56 SIGNS

07-19-13

**Replace the 4th paragraph of section 56-3.01A with:**

07-19-13

The types of sign structures include:

1. Truss
2. Bridge mounted
3. Tubular

**Replace "sets" in the 1st paragraph of section 56-3.01C(2) with:**

04-19-13

copies

**Delete the 7th paragraph of section 56-3.02K(2).**

07-20-12

**Replace the 1st paragraph of section 56-3.02M(1) with:**

07-19-13

Galvanize all ferrous metal parts of the following sign structure types:

1. Truss
2. Bridge mounted
3. Tubular

**Add between the 1st and 2nd paragraphs of section 56-3.02M(1):**

04-19-13

Clean and paint all ferrous metal parts of tubular sign structures after galvanizing, including the areas to be covered by sign panels. Do not paint sign structures other than tubular type unless specified in the special provisions.

**Replace the headings and paragraphs in section 56-3.02M(3) with:**

04-19-13

Where specified, clean and paint sign structures under section 59-5.

AA

## 57 WOOD AND PLASTIC LUMBER STRUCTURES

04-19-13

**Replace "51-2.01C(3)" in the 1st paragraph of section 57-2.01C(3)(a) with:**

10-19-12

57-2.01C(3)

**Replace "sets" at each occurrence in the 1st paragraph of section 57-3.01C with:**

04-19-13

copies

AA

## 58 SOUND WALLS

04-19-13

**Delete the 3rd paragraph of section 58-1.01.**

10-19-12

**Replace the 1st paragraph of section 58-2.01D(5)(a) with:**

08-05-11

You must employ a special inspector and an authorized laboratory to perform Level 1 inspections and structural tests of masonry to verify the masonry construction complies with section 1704, "Special Inspections," and section 2105, "Quality Assurance," of the 2007 CBC.

**Delete the 1st paragraph of section 58-2.02F.**

10-19-12

**Replace "sets" at each occurrence in the 1st paragraph of section 58-4.01C with:**

04-19-13

copies

AA

## 59 PAINTING

11-15-13

**Replace "SSPC-SP 10" at each occurrence in section 59 with:**

10-19-12

SSPC-SP 10/NACE no. 2

**Replace "SSPC-SP 6" at each occurrence in section 59 with:**

10-19-12

SSPC-SP 6/NACE no. 3

**Replace "SSPC-CS 23.00" at each occurrence in section 59 with:**

10-19-12

SSPC-CS 23.00/AWS C 2.23M/NACE no. 12

**Replace "*Specification for Structural Joints Using ASTM A325 or A 490 Bolts*" in the 1st paragraph of section 59-2.01C(1) with:**

07-19-13

*Specification for Structural Joints Using High-Strength Bolts*

**Replace "SSPC-QP 3 or AISC SPE, Certification P-1 Enclosed" in item 3 in the list in the 1st paragraph of section 59-2.01D(1) with:**

10-19-12

AISC-420-10/SSPC-QP 3 (Enclosed Shop)

**Replace "*Specification for Structural Joints Using ASTM A325 or A 490 Bolts*" in the 1st paragraph of section 59-2.02 with:**

07-19-13

*Specification for Structural Joints Using High-Strength Bolts*

**Replace the paragraphs in section 59-2.03A with:**

10-19-12

Clean and paint all exposed structural steel and other metal surfaces.

You must provide enclosures for cleaning and painting structural steel. Cleaning and painting of new structural steel must be performed in an Enclosed Shop as defined in AISC-420-10/SSPC-QP 3. Maintain atmospheric conditions inside enclosures within specified limits.

Except for blast cleaning within closed buildings, perform blast cleaning and painting during daylight hours.

**Add to section 59-2.03B:**

07-19-13

**59-2.03B(3) Containment Systems**

**59-2.03B(3)(a) General**

Construct containment systems when disturbing existing paint systems during bridge rehabilitation.

The containment system must be one of the following:

1. Ventilated containment system
2. Vacuum-shrouded surface preparation equipment and drapes and ground covers
3. Equivalent containment system if authorized

The containment system must contain all water, resulting debris, and visible dust produced when the existing paint system is disturbed.

Properly maintain the containment system while work is in progress and do not change the containment system unless authorized.

Containment systems over railroad property must provide the minimum clearances as specified in section 5-1.20C for the passage of railroad traffic.

**59-2.03B(3)(b) Ventilated Containment Systems**

**59-2.03B(3)(b)(i) General**

If flexible framing is used, support and fasten it to (1) prevent the escape of abrasive and blast materials due to whipping from traffic or wind and (2) maintain clearances.

If the wind speed reaches 50 mph or greater, relieve the wind pressure on the containment system using an authorized method.

**59-2.03B(3)(b)(ii) Design Criteria**

Scaffolding or supports for the ventilated containment system must not extend below the vertical clearance level nor to the ground line at locations within the roadbed.

For truss-type bridges, all connections of the ventilated containment system to the existing structure must be made through the deck, girder, stringer, or floor beam system. No connections are allowed that will cause bending stresses in a truss member.

The ventilated containment system must comply with section 7-1.02K(6)(e).

The minimum total design load for the ventilated containment system must consist of the sum of the dead and live vertical loads.

Dead and live loads are as follows:

1. Dead load must consist of the actual load of the ventilated containment system
2. Live loads for bridges with only spot blast cleaning work must consist of:
  - 2.1. Uniform load of at least 25 psf applied over the supported area
  - 2.2. Moving concentrated load of 1000 lb to produce maximum stress in the main supporting elements of the ventilated containment system
3. Live loads for bridges with 100 percent blast cleaning to bare metal must consist of:
  - 3.1. Uniform load of at least 45 psf, which includes 20 psf of sand load, applied over the supported area
  - 3.2. Moving concentrated load of 1000 lb to produce maximum stress in the main supporting elements of the ventilated containment system

Assumed horizontal loads do not need to be included in the design of the ventilated containment system.

Maximum allowable stresses must comply with section 48-2.01D(3)(c).

#### **59-2.03B(3)(b)(iii) Ventilation**

The ventilation system in the ventilated containment system must be of the forced input airflow type with fans or blowers.

Negative air pressure must be employed within the ventilated containment system and will be verified by visual methods by observing the concave nature of the ventilated containment system while taking into account wind effects or by using smoke or other visible means to observe airflow. The input airflow must be properly balanced with the exhaust capacity throughout the range of operations.

The exhaust airflow of the ventilation system in the ventilated containment system must be forced into wet or dry dust collectors or bag houses.

#### **Replace item 1 in the list in the 2nd paragraph of section 59-2.03C(1) with:**

10-19-12

1. Apply a stripe coat of undercoat paint on all edges, corners, seams, crevices, interior angles, junctions of joining members, weld lines, and similar surface irregularities. The stripe coat must completely hide the surface being covered. If spot blast cleaning portions of the bridge, apply the stripe coat of undercoat paint before each undercoat and follow with the undercoat as soon as practical. If removing all existing paint from the bridge, apply the undercoat first as soon as practical and follow with the stripe coat of undercoat paint for each undercoat.

#### **Replace the heading of section 59-2.03C(2) with:**

04-19-13

#### **Zinc Coating System**

#### **Add to section 59-2.03C(2)(a):**

04-19-13

Coatings for new structural steel and connections between new and existing structural steel must comply with the requirements shown in the following table:

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
April 2017

County of El Dorado  
**Appendix A - RSS**  
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### Zinc Coating System

Description	Coating	Dry film thickness (mils)
All new surfaces:		
Undercoat	Inorganic zinc primer, AASHTO M 300 Type I or II	4–8
Finish coat <sup>a</sup>	Exterior grade latex <sup>b</sup> , 2 coats	2 minimum each coat, 4–8 total
Total thickness, all coats		8–14
Connections to existing structural steel: <sup>c</sup>		
Undercoat	Inorganic zinc primer, AASHTO M 300 Type I or II	4–8
Finish coat <sup>a</sup>	Exterior grade latex <sup>b</sup> , 2 coats	2 minimum each coat, 4–8 total
Total thickness, all coats		8–14

<sup>a</sup>If no finish coats are described, a final coat of inorganic zinc primer is required.

<sup>b</sup>Exterior grade latex must comply with section 91-2.02 unless otherwise specified.

<sup>c</sup>Includes the following locations:

1. New and existing contact surfaces
2. Existing member surfaces under new HS bolt heads, nuts, or washers
3. Bare surfaces of existing steel after trimming, cutting, drilling, or reaming
4. Areas within a 4-inch radius from the point of application of heat for welding or flame cutting

**Replace "Specification for Structural Joints Using ASTM A325 or A 490 Bolts" in the 7th paragraph of section 59-2.03C(2)(b)(i) with:**

07-19-13

*Specification for Structural Joints Using High-Strength Bolts*

**Add to section 59-2.03C:**

04-19-13

#### **59-2.03C(3) Moisture-Cured Polyurethane Coating System**

Reserved

#### **59-2.03C(4) State Specification Paint Waterborne Coating System**

##### **59-2.03C(4)(a) General**

The State Specification PWB coating system for existing structural steel must comply with the requirements shown in the following table:

### State Specification PWB Coating System

Surface	Description	State Specification PWB Coating	Dry film thickness (mils)
Surfaces cleaned to bare metal <sup>a</sup> :	1st undercoat	145	2–3
	2nd undercoat	146	2–3
	1st finish coat	171	1.5–3
	2nd finish coat	172	1.5–3
	Total thickness, all coats	--	7–12
Existing painted surfaces to be topcoated:	Undercoat	146	2–3
	1st finish coat	171	1.5–3
	2nd finish coat	172	1.5–3
	Total thickness, new coats	--	5–9

<sup>a</sup>Includes locations of spot blast cleaning

#### 59-2.03C(4)(b) Finish Coats

11-15-13

Reserved

#### Add to section 59-5.01:

04-19-13

Where specified, prepare and paint sign structures under sections 59-2 and 59-3.

Instead of submitting proof of the certification complying with SSPC-QP 1, you may submit documentation with the painting quality work plan showing compliance with the requirements in section 3 of SSPC-QP 1.

Instead of submitting proof of the certification complying with SSPC-QP 2, you may submit documentation with the painting quality work plan showing compliance with the requirements in sections 4.2 through 4.4 of SSPC-QP 2, Category A.

Instead of submitting proof of the certification complying with AISC-420-10/SSPC-QP 3 (Enclosed Shop), you may submit documentation with the painting quality work plan showing compliance with the requirements in sections 5 through 18 of AISC-420-10/SSPC-QP3.

#### Replace the paragraphs of section 59-5.03 with:

04-19-13

##### 59-5.03A General

You may prepare and paint sign structures before or after erection. After erection, repair damaged paint to the satisfaction of the Engineer.

The total dry film thickness of finish coats on contact surfaces of galvanized HS bolted connections (1) must be from 1 to 4 mils and (2) may be applied in 1 application.

##### 59-5.03B Undercoating of Ungalvanized Surfaces

Blast-cleaned surfaces must receive a single undercoat consisting of an inorganic zinc coating as specified in AASHTO M 300, Type I or Type II, except:

1. The first 2 sentences of section 5.6 do not apply
2. Section 5.6.1 does not apply

If you propose to use a coating that is not on the Authorized Material List, submit the required documentation specified in section 5.6 of AASHTO M 300. Allow 30 days for the Engineer's review.

### **59-5.03C Testing of Inorganic Zinc Coating**

Perform adhesion and hardness testing no sooner than 72 hours after application of the single undercoat of inorganic zinc coating.

### **59-5.03D Finish Coating**

The exposed area of inorganic zinc coating must receive a minimum of 2 finish coats of exterior grade latex paint.

The 1st finish coat color must match no. 24558 of FED-STD-595. The 2nd finish coat color must match no. 24491 of FED-STD-595. The total dry film thickness of the applications of the 2nd finish coat must be not less than 2 mils.

**Replace section 59-7 with:**

07-19-13

## **59-7 STAINING CONCRETE AND SHOTCRETE**

### **59-7.01 GENERAL**

#### **59-7.01A General**

##### **59-7.01A(1) Summary**

Section 59-7.01 includes specifications for preparing and staining concrete and shotcrete surfaces using an acid stain.

##### **59-7.01A(2) Definitions**

Reserved

##### **59-7.01A(3) Submittals**

Submit stain manufacturer's product data and application instructions at least 7 days before starting staining activities.

##### **59-7.01A(4) Quality Control and Assurance**

Reserved

#### **59-7.01B Materials**

##### **59-7.01B(1) General**

Reserved

##### **59-7.01B(2) Stain**

Stain must:

1. Be a water-based solution of inorganic metallic salts
2. Contain dilute acid that penetrates and etches the concrete or shotcrete surface
3. Be a commercial quality product designed specifically for exterior applications
4. Produce abrasion-resistant color deposits

##### **59-7.01B(3) Sealer**

Reserved

##### **59-7.01B(4) Joint Sealing Compound**

Reserved

### **59-7.01C Construction**

#### **59-7.01C(1) General**

Seal joints between concrete and shotcrete surfaces to be stained and adjacent metal with joint sealing compound before applying the stain.

Test surfaces for acceptance of the stain before applying the stain. Clean surfaces that resist accepting the stain and retest until passing.

Apply the stain under the manufacturer's instructions.

Before staining, the concrete or shotcrete surfaces must be:

1. At least 28 days old
2. Prepared under SSPC-SP 13/NACE no. 6
3. Thoroughly dry

Apply the stain uniformly to avoid excessive rundown. Work the stain into the concrete using a nylon bristle brush in a circular motion.

After the last coat of stain has dried, rinse stained surfaces with water and wet scrub with a stiff bristle nylon brush until the rinse water runs clear. Collect all rinse water.

Protect adjacent surfaces during staining.

Thoroughly cure each application of the stain and correct skips, holidays, thin areas, or other deficiencies before the next application.

Drips, puddles, or other irregularities must be worked into the concrete or shotcrete surface.

#### **59-7.01C(2) Test Panel**

For staining concrete or shotcrete, stain a test panel complying with section 51-1.01D(3).

For staining sculpted shotcrete, stain a test panel complying with section 53-3.01D(3).

The test panel must be:

1. Stained using the same personnel, materials, equipment and methods to be used in the work
2. Accessible for viewing
3. Displayed in an upright position near the work
4. Authorized for staining before starting the staining work

If ordered, construct additional test panels until a satisfactory color is attained.

The Engineer uses the authorized stained test panel to determine the acceptability of the stained surface.

Dispose of the test panels after the staining work is complete and authorized. Notify the Engineer before disposing of the test panels.

#### **59-7.01D Payment**

Not Used

### **59-7.02 SCULPTED SHOTCRETE AND TEXTURED CONCRETE**

#### **59-7.02A General**

##### **59-7.02A(1) Summary**

Section 59-7.02 includes specifications for preparing and staining sculpted shotcrete and textured concrete surfaces using an acid stain.

##### **59-7.02A(2) Definitions**

Reserved

##### **59-7.02A(3) Submittals**

###### **59-7.02A(3)(a) General**

Reserved

#### **59-7.02A(3)(b) Experience Qualifications**

Submit the following documentation of the staining subcontractor's experience at least 10 days before the preconstruction meeting:

1. Summary of the staining subcontractor's experience that demonstrates compliance with section 59-7.02A(4)(b).
2. List of at least 3 projects completed in the last 5 years that demonstrate the staining subcontractor's ability to stain textured concrete or sculpted shotcrete surfaces similar to the textured concrete or sculpted shotcrete for this project. For each project include:
  - 2.1. Project description
  - 2.2. Name and phone number of the owner
  - 2.3. Staining completion date
  - 2.4. Color photos of the completed stained surface

#### **59-7.02A(3)(c) Installation Plan**

Submit an installation plan at least 10 days before the preconstruction meeting. The installation plan must include details for preparing and staining the textured concrete or sculpted shotcrete to achieve the required color, including:

1. Number of applications that will be used to apply the stain
2. For each application of the stain, a description of:
  - 2.1. Manufacturer, color, finish, and percentage strength mixture of the stain that will be applied
  - 2.2. Methods and tools that will be used to apply the stain
3. Methods for protecting adjacent surfaces during staining
4. Rinse water collection plan for containing all liquid, effluent, and residue resulting from preparing and staining textured concrete or sculpted shotcrete

#### **59-7.02A(4) Quality Control and Assurance**

##### **59-7.02A(4)(a) General**

Reserved

##### **59-7.02A(4)(b) Contractor Qualifications**

The staining subcontractor must:

1. Have experience in staining textured concrete or sculpted shotcrete surfaces to simulate the appearance of natural rock formations or stone masonry
2. Have successfully completed at least 3 projects in the past 5 years involving staining of concrete or sculpted shotcrete surfaces similar to the textured concrete or sculpted shotcrete for this project

##### **59-7.02A(4)(c) Preconstruction Meeting**

Before starting staining activities, conduct a meeting to discuss the installation plan. Meeting attendees must include the Engineer and all staining subcontractors.

##### **59-7.02B Materials**

Not Used

##### **59-7.02C Construction**

Not Used

##### **59-7.02D Payment**

Prepare and stain concrete and prepare and stain shotcrete are measured by the area of the vertical or sloped wall face stained.

Replace "solider" in the 5th paragraph of section 59-9.03 with:

04-19-13

soldier

Replace section 59-11 with:

07-19-13

#### **59-11 STAINING GALVANIZED SURFACES**

Reserved

Replace section 59-12 with:

07-19-13

#### **59-12 ROCK STAINING**

##### **59-12.01 GENERAL**

###### **59-12.01A Summary**

Section 59-12 includes specifications for applying stain to the exterior surface of landscape boulders, native rock that has been damaged or scarred, rock energy dissipaters, rock slope protection and gabion surfaces.

###### **59-12.01B Submittals**

Submit the following:

1. Work plan showing methods to control overspray and spillage, and to protect adjacent surfaces
2. Product data including the manufacturer's product sheet and the instructions for the application of the stain

###### **59-12.01C Quality Control and Assurance**

###### **59-12.01C(1) General**

Reserved

###### **59-12.01C(2) Test Plot**

Apply the stain to a test plot rock area of at least 3 by 3 feet at a location designated by the Engineer. Notify the Engineer at least 7 days before staining the test plot. Prepare and stain the test plot with the same materials, tools, equipment, and methods to be used in staining the final surfaces. Separate test plots are required for staining rock slope protection and native rock.

If ordered, prepare additional test plots. Additional test plots are change order work.

Obtain authorization of the test plot before starting the staining work. Use the authorized test plot as the standard for comparison in determining acceptability of staining. If the test plot is not incorporated into the work and the Engineer determines it is no longer needed, dispose of it.

##### **59-12.02 MATERIALS**

###### **59-12.02A General**

Reserved

###### **59-12.02B Stain**

Reserved

##### **59-12.03 CONSTRUCTION**

###### **59-12.03A General**

Reserved

Before applying the stain:

- ### 59-12.03C Application

Control overspray and protect adjacent surfaces.

## 59-12.04 PAYMENT

[illegible]

## 07-19-13

10-19-12

**Add to section 62:**

07-19-13

Reserved

AA

07-19-13

10-19-12

16-0336 B 403 of 710

07-19-13

- AA

07-19-13

10-19-12

07-19-13

AA

04-18-14

04-18-14

AA

## 07-19-13

01-20-12

07-19-13

16-0336 B 404 of 710



## 01-18-13

Wrapping tape for repairing damaged coating and wrapping field joints and fittings must be a pressure-sensitive PVC or polyethylene tape with a minimum thickness of 50 mils, 2 inches wide.

## 01-18-13

1. Before wrapping, thoroughly clean and prime the pipe casing, joints, and fittings under the tape manufacturer's instructions.
2. Wrap the tape tightly with 1/2 uniform lap, free from wrinkles and voids to provide not less than a 100-mil thickness.
3. Wrapping at joints must extend at least 6 inches over adjacent pipe casing coverings. Apply tension such that the tape will conform closely to contours of the joint.

## 07-19-13

[illegible]

11-15-13

11-15-13

Property	California Test	Value
Apparent specific gravity	206	2.5 minimum
Absorption	206	4.2% maximum
Durability Index	229	52 minimum

If the DAR is greater than 24, the durability index may be less than 52

01-20-12

1/2 T	1/4 T	Light	Facing	Cobble
-------	-------	-------	--------	--------

**Replace the table in the 2nd paragraph of section 72-3.02B with:**

11-15-13

**Rock Material Properties**

Property	California Test	Value
Apparent specific gravity	206	2.5 minimum
Absorption	206	4.2% maximum
Durability index	229	52 minimum

Notes:

Durability absorption ratio (DAR) = course durability index/(% absorption + 1)

If the DAR is greater than 10, the absorption may exceed 4.2%

If the DAR is greater than 24, the durability index may be less than 52

**Replace the row under "Rock class" in the table in the 2nd paragraph of section 72-3.03E with:**

01-20-12

1/2 T	1/4 T	Light	Facing	Cobble
-------	-------	-------	--------	--------

**Delete the 5th and 6th paragraphs of section 72-11.01B.**

07-19-13

**Add to section 72-11.01B:**

01-18-13

Expanded polystyrene and premolded expansion joint filler must comply with section 51-2.

**Delete the 2nd paragraph of section 72-11.01C(1).**

07-19-13

**Delete the 7th paragraph of section 72-11.01C(1).**

07-19-13

**Add between the 7th and 8th paragraphs of section 72-11.01C(1):**

07-19-13

Schedule the construction of the slope paving such that the work, including placing and finishing concrete and applying curing compound, is completed on the same day that the work is started.

**Replace the 8th paragraph of section 72-11.01C(1) with:**

07-19-13

If the Engineer determines that the size of the slope paving is too large to be constructed without an intermediate construction joint, place a joint at an authorized location. Complete a section of concrete bounded by permissible construction joints within the same day.

**Replace the 1st paragraph of section 72-11.01C(2) with:**

01-18-13

Construct and finish minor concrete slope paving under section 51-1.

07-19-13

07-19-13

AA

## 07-19-13

07-19-13

AA

## 04-19-13

04-19-13

01-20-12

AA

## 07-19-13

07-19-13

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guardrail

**Replace section 78 with:**

**Add to section 80-2.02D:**

**Replace item 1 in the list in section 80-2.02E with:**

**Add after "galvanized wire" in the 1st paragraph of section 80-2.02F:**

**Replace the 3rd and 4th paragraphs of section 80-2.02F with:**

2. Be at least 1-3/4 inches long
3. Be manufactured from 9-gage galvanized wire

Wire ties used to fasten barbed wire and wire mesh to metal posts must be at least 11-gage galvanized wire complying with ASTM F 626. Clips and hog rings used for metal posts must be at least 9-gage galvanized wire complying with ASTM F 626.

**Replace the 8th through 14th paragraphs of section 80-2.03 with:**

10-19-12

Attach the wire mesh and barbed wire to each post.

Securely fasten tension wires to wood posts. Make a single or double loop around each post at each attachment point and staple the wire to the post. Use wire ties, hog rings, or wire clips to fasten the wires to the metal posts.

Connect each wood brace to its adjacent post with a 3/8 by 4-inch steel dowel. Twist the tension wires until the installation is rigid.

Stretch barbed wire and wire mesh fabric and fasten to each wood or steel end, corner, or gate post. Apply tension according to the manufacturer's instructions using a mechanical stretcher or other device designed for such use. If no tension is specified by the manufacturer, use 250 pounds for the required tension. Evenly distribute the pull over the longitudinal wires in the wire mesh such that no more than 50 percent of the original depth of the tension curves is removed. Do not use a motorized vehicle, truck, or tractor to stretch the wire.

Attach barbed wire and wire mesh fabric to the private-property side of posts. On curved alignments, place the wire mesh and barbed wire on the face of the post against which the normal pull of the wire mesh and wire will be exerted. Terminate the wire mesh and barbed wire at each end, corner, pull, and gate post in the new fence line. Attach wire mesh and barbed wire to each wood or steel end, corner, pull, or gate post by wrapping each horizontal strand around the post and tying it back on itself with at least 4 tightly-wound wraps.

At line posts, fasten the wire mesh to the post at the top and bottom and at intermediate points not exceeding 10 inches apart. Fasten each line of barbed wire to each line post. Use wire ties or clips to fasten the wires to metal posts under the post manufacturer's instructions. Drive staples crosswise with the grain of the wood and pointed slightly downward. Drive staples just short of actual contact with the wires to allow free longitudinal movement of those wires and to prevent damage to the wire's protective coating. Secure all wires to posts to maintain horizontal alignment.

Splices in barbed wire and wire mesh are allowed provided there are no more than 2 splices per 50 feet of fence. Use commercially-available galvanized mechanical wire splices or a wire splice created by tying off wire. Install mechanical wire splices with a tool designed for that purpose under the manufacturer's instructions. Tie off the wire as follows:

1. Carry the ends of each wire 3 inches past the tied-off knot location and wrap around the wire for at least 6 turns in opposite directions.
2. Remove the splice tool and close the space by pulling the end of the wires together.
3. Cut the unused ends of the wire close and neat.

07-18-14

**Delete "resisting moment" and its definition in section 80-3.01B.**

## 07-18-14

07-18-14

07-18-14

07-18-14

07-18-14

## 07-18-14

07-18-14

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## 07-18-14

## 07-18-14

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07-19-13

07-19-13

07-19-13

**Replace the heading of section 83-1.02B with:**

07-19-13

**Midwest Guardrail System**

**Add between "splices at" and "posts" in the 5th paragraph of section 83-1.02B:**

07-19-13

midspan between

**Replace "Metal rail posts, box spacers, and" in item 1 in the list in the 25th paragraph of section 83-1.02B with:**

07-19-13

Metal box spacers and

**Replace item 4 in the list in the 25th paragraph of section 83-1.02B with:**

07-18-14

4. For the connection of guard railing to new bridge railing or barriers, anchor bolt holes must be drilled in the concrete parapet or formed using metal or PVC sleeves.

**Delete items 6 and 7 in the list in the 25th paragraph of section 83-1.02B.**

07-19-13

**Replace "Type WB" at each occurrence in section 83-1.02B(2) with:**

07-19-13

Type WB-31

**Replace the heading of section 83-1.02B(3) with:**

07-19-13

**Temporary Midwest Guardrail System**

**Replace the 2nd sentence of the 9th paragraph of section 83-1.02D(1) with:**

07-18-14

Posts and balusters must be normal to the profile grade. Transverse to the profile grade, railings must be plumb within a tolerance not to exceed 0.02 foot in 10 feet.

**Replace "80-2.02" in the 2nd paragraph of section 83-1.02E with:**

10-19-12

80-3.02B

**Replace the 3rd paragraph of section 83-1.02G(2) with:**

07-18-14

Stud bolts must comply with the specifications for studs in clause 7 of AWS D1.1.

07-18-14

07-19-13

11-15-13

10-21-11

10-19-12

AA

05-30-14

05-30-14



retroreflectivity of the deficient areas using a retroreflectometer under ASTM E1710 and the sampling protocol specified in ASTM D7585.

**Replace the paragraph in section 84-1.02 with:**

05-30-14

Glass beads applied to paint must comply with State Specification 8010-004.

Glass beads applied to molten thermoplastic material must be Type 2 beads complying with AASHTO M 247. The glass beads must have a coating that promotes adhesion of the beads to thermoplastic.

At least 75 percent of the beads by count must be true spheres that are colorless and do not exhibit dark spots, air inclusions, or surface scratches when viewed under 20X magnification.

Each lot of glass beads used in pavement markings must contain less than 200 ppm each of arsenic and lead when tested under EPA Test Method 3052 and 6010B or 6010C.

**Replace the 1st paragraph in section 84-2.04 with:**

01-20-12

A double extruded thermoplastic traffic stripe consisting of two 4-inch wide yellow stripes is measured as 2 traffic stripes.

A double sprayable thermoplastic traffic stripe consisting of two 4-inch wide yellow stripes is measured as 1 traffic stripe.

**Add to section 84:**

01-20-12

**84-6 THERMOPLASTIC TRAFFIC STRIPES AND PAVEMENT MARKINGS WITH ENHANCED WET NIGHT VISIBILITY**

Reserved

**84-7-84-10 RESERVED**

AA

**86 ELECTRICAL SYSTEMS**

10-17-14

**Replace the paragraphs in section 86-1.01 with:**

07-19-13

Section 86 includes general specifications for constructing and rehabilitating electrical systems.

Electrical systems must comply with the material and installation specifications in section 86-2.

Section 86-3 includes specifications for constructing controller assemblies.

Section 86-4 includes specifications for constructing traffic signal faces, programmed visibility signal faces, pedestrian signal faces, flashing beacons, ramp metering signs, and signal mounting assemblies.

Section 86-5 includes specifications for constructing vehicle detectors and pedestrian push button assemblies.

Section 86-6 includes specifications for constructing lighting systems.

Section 86-7 includes specifications for constructing rehabilitating electrical equipment.

Comply with Part 4 of the *California MUTCD*. Nothing in section 86 is to be construed as to reduce the minimum standards in this manual.

The locations shown for electrical systems are approximate; the Engineer determines the final locations.

**Replace the paragraphs in section 86-1.015 with:**

07-19-13

**actuation:** Actuation as defined in the *California MUTCD*.

**channel:** Discrete information path.

**controller assembly:** Assembly for controlling a system's operations, consisting of a controller unit and auxiliary equipment housed in a rainproof cabinet.

**controller unit:** Part of the controller assembly performing the basic timing and logic functions.

**detector:** Detector as defined in the *California MUTCD*.

**electrolier:** Assembly of a lighting standard and luminaire.

**flasher:** Device for opening and closing signal circuits at a repetitive rate.

**flashing beacon control assembly:** Assembly of switches, circuit breakers, terminal blocks, flasher, wiring, and other necessary electrical components housed in a single enclosure for operating a beacon.

**inductive loop detector:** Detector capable of being actuated by an inductance change caused by a vehicle passing or standing over the loop.

**lighting standard:** Pole and mast arm supporting the luminaire.

**luminaire:** Assembly that houses the light source and controls the light emitted from the light source.

**magnetic detector:** Detector capable of being actuated by an induced voltage caused by a vehicle passing through the earth's magnetic field.

**powder coating:** Coating applied electrostatically using exterior-grade UV-stable polymer powder.

**pretimed controller assembly:** Assembly operating traffic signals under a predetermined cycle length.

**pull box:** A box with a cover that is installed in an accessible place in a run of conduit to facilitate the pulling in of wires or cables.

**signal face:** Signal face as defined in the *California MUTCD*.

**signal head:** Signal head as defined in the *California MUTCD*.

**signal indication:** Signal indication as defined in the *California MUTCD*.

**signal section:** Signal section as defined in the *California MUTCD*.

**signal standard:** Pole and mast arm supporting 1 or more signal faces with or without a luminaire mast arm.

**traffic-actuated controller assembly:** Assembly for operating traffic signals under the varying demands of traffic as registered by detector actuation.

**traffic phase:** Signal phase as defined in the *California MUTCD*.

**vehicle:** Vehicle as defined in the *California Vehicle Code*.

**Replace the paragraphs in section 86-1.02 with:**

07-19-13

Comply with 8 CA Code of Regs § 2299 et seq.

Electrical equipment must comply with one or more of the following standards:

1. ANSI
2. ASTM
3. EIA
4. NEMA
5. NETA
6. UL
7. Public Utilities Commission, General Order No. 95, "Rules for Overhead Electrical Sign Construction"
8. Public Utilities Commission, General Order No. 128, "Rules for Construction of Underground Electric Supply and Communication Systems"

Materials and workmanship must comply with:

1. FCC rules
2. ITE standards
3. NEC
4. California Electrical Code

Electrical equipment and materials must be NRTL certified wherever applicable.

**Replace the paragraphs in section 86-1.03 with:**

07-19-13

Submit a schedule of values within 15 days after Contract approval.

Determine the quantities required to complete the work. Submit the quantities as part of the schedule of values.

Provide a schedule of values for each lump sum bid item.

Do not include costs for the traffic control system in the schedule of values.

The schedule of values must include the type, size, and installation method for:

1. Foundations
2. Standards and poles
3. Conduit
4. Pull boxes
5. Conductors and cables
6. Service equipment enclosures
7. Telephone demarcation cabinets
8. Vehicle signal heads and hardware
9. Pedestrian signal heads and hardware
10. Push buttons
11. Loop detectors
12. Luminaires and lighting fixtures
13. Materials shown in the quantity tables on plan sheets labeled *E*

**Replace the paragraphs in section 86-1.04 with:**

07-19-13

Within 15 days of Contract approval, submit a list of equipment and materials that you propose to install. Submit the list before shipping equipment or materials to the job site. The list must include the following information:

1. Manufacturer's name
2. Make and model number
3. Month and year of manufacture
4. Lot and serial numbers
5. Dimensions
6. List of components
7. Manufacturer's installation instructions
8. Contract number
9. Your contact information

Supplement the list with 2 copies of the following data:

1. Schematic wiring diagrams
2. Scale drawings of cabinets showing location and spacing of shelves, terminal blocks, and equipment, including dimensions
3. Operation manual

Electrical equipment constructed as shown does not require detailed drawings and diagrams.

Submit 3 sets of computer-generated schematic wiring diagrams for the cabinet.

Place the schematic wiring diagram in a heavy-duty plastic envelope and attach it to the inside of the cabinet door.

Prepare diagrams, plans, and drawings using graphic symbols in IEEE 315, "Graphic Symbols for Electrical and Electronic Diagrams."

**Replace the 5th paragraph of section 86-2.04B(2) with:**

07-19-13

HS bolts, nuts, and flat washers used to connect slip base plates must comply with the requirements for HS fastener assemblies for use in structural steel joints in section 55-1.02A(1) except rotational capacity testing and tension testing are not required.

**Delete the row for standard Type 36-20A in the table in the 6th paragraph of section 86-2.04B(2).**

07-19-13

**Replace the 10th paragraph of section 86-2.04B(2) with:**

07-19-13

Bolted connections attaching signal or luminaire arm to the pole must be considered slip critical. Galvanized faying surfaces of plates on luminaire arm, signal arm, and pole must be roughened by hand using a wire brush before assembly and must comply with requirements for Class C surface conditions for slip-critical connections in *Specification for Structural Joints Using High-Strength Bolts* of the RCSC. Coatings for faying surfaces must comply with the RCSC specification for Class B coatings.

**Replace the 1st sentence of item 8 in the list in the 1st paragraph of section 86-2.04B(3) with:**

07-19-13

During manufacturing, longitudinal seams on vertical tubular members of cantilevered support structures must be within 90 degrees circumferentially of the center of the longest mast arm connection.

**Delete item 15.3 in the list in the 1st paragraph of section 86-2.04B(3).**

07-19-13

**Add between "Exposed" and "conduit" in the 2nd paragraph of section 86-2.05B:**

07-19-13

Type 1

**Replace the 1st sentence of the 10th paragraph of section 86-2.05C with:**

07-19-13

After installing conduit, install the pull tape.

**Replace the 1st sentence of the 15th paragraph of section 86-2.05C with:**

11-15-13

Conduit runs shown to be located behind curbs may be installed in the street within 3 feet of and parallel to the face of the curb by the trenching in pavement method.

**Replace the 1st and 2nd sentences of the 2nd paragraph of section 86-2.05D with:**

07-19-13

Install an expansion-deflection fitting for expansion joints with a 1-1/2-inch movement rating. The fitting must be watertight and include a molded neoprene sleeve, a bonding jumper, and 2 silicon bronze or zinc-plated iron hubs.

**Replace section 86-2.06 with:**

07-19-13

## **86-2.06 PULL BOXES**

### **86-2.06A General**

#### **86-2.06A(1) Cover Marking**

The cover marking must be clearly defined, uniform in depth, and parallel to either the long or short sides of the cover.

Marking letters must be 1 to 3 inches high.

Before galvanizing steel or cast iron cover, apply marking by one of the following methods:

1. Use cast iron strip at least 1/4 inch thick with letters raised a minimum of 1/16 inch. Fasten strip to cover with 1/4-inch flathead stainless steel machine bolts and nuts. Peen bolts after tightening.
2. Use sheet steel strip at least 0.027 inch thick with letters raised a minimum of 1/16 inch. Fasten strip to cover by spot welding, tack welding, or brazing, with 1/4-inch stainless steel rivets or 1/4-inch roundhead stainless steel machine bolts and nuts. Peen bolts after tightening.
3. Bead weld the letters on cover such that the letters are raised a minimum of 3/32 inch.

#### **86-2.06A(2) Installation and Use**

Space pull boxes no more than 200 feet apart. You may install additional pull boxes to facilitate the work.

You may use a larger standard size pull box than that shown on the plans or specified.

A pull box in ground or sidewalk area must be installed as follows:

1. Embed bottom of the pull box in crushed rock.
2. Place a layer of roofing paper on the crushed rock.
3. Place grout over the layer of roofing paper. Grout must be 0.50 to 1 inch thick and sloped toward the drain hole.
4. Make a 1-inch drain hole in the center of the pull box through the grout and roofing paper.
5. Place grout between the pull box and the pull box extension, and around conduits.

The top of the pull box must be flush with the surrounding grade or the top of an adjacent curb, except in unpaved areas where the pull box is not immediately adjacent to and protected by a concrete foundation, pole, or other protective construction. Place the pull box 1-1/4 inches above the surrounding grade. Where practical, place a pull box shown in the vicinity of curbs or adjacent to a standard on the side of the foundation facing away from traffic. If a pull box is installed in a sidewalk area, adjust the depth of the pull box so that the top of the pull box is flush with the sidewalk.

Reconstruct the sump of an existing pull box if disturbed by your activities. Remove old grout and replace with new if the sump was grouted.

#### **86-2.06B Non-Traffic Pull Boxes**

Reserved

#### **86-2.06C Traffic Pull Boxes**

The traffic pull box and cover must comply with ASTM C857, "Standard Practice for Minimum Structural Design Loading for Underground Precast Concrete Utility Structures," for HS20 loading. You must be able to place the load anywhere on the box and cover for 1 minute without causing cracks or permanent deformations.

Frame must be anchored to the box with 1/4 by 2-1/4 inch concrete anchors. Four concrete anchors must be included for No. 3-1/2(T) pull box; one placed in each corner. Six concrete anchors must be included for No. 5(T) and No. 6(T) pull boxes; one placed in each corner and one near the middle of each of the longer sides.

Nuts must be zinc-plated carbon steel, vibration resistant, and have a wedge ramp at the root of the thread.

After installation of traffic pull box, install the steel cover and keep it bolted down when your activities are not in progress at the pull box. When the steel cover is placed for the final time, the cover and Z bar frame must be cleaned of debris and tightened securely.

Steel cover must be countersunk approximately 1/4 inch to accommodate the bolt head. When tightened, the bolt head must not exceed more than 1/8 inch above the top of the cover.

Concrete placed around and under traffic pull boxes must be minor concrete.

**Replace the 11th row in the table in the 1st paragraph of section 86-2.08B with:**

07-19-13

Grounded circuit conductor	Pedestrian push buttons	Wht	Blk	NBR	14
	Signals and multiple lighting	Wht	None	NBR	10
	Flashing beacons and sign lighting	Wht	None	NBR	12
	Lighting control	Wht	None	C-3	14
	Service	Wht	None	NBR	14

**Replace the 1st sentence of the 1st paragraph of section 86-2.08C with:**

07-19-13

Circuit conductors, connectors, and terminals must be UL or NRTL listed and rated for 600 V(ac) operation.

**Add to the beginning of section 86-2.09A:**

07-19-13

Provide enough traffic signal light conductors for functional operation of the signal. Provide 3 spare conductors in all conduits containing traffic signal light conductors.

**Replace the paragraphs in section 86-2.09C with:**

07-19-13

Connectors must be crimp type. Use a manufacturer-recommended tool for connectors and terminals to join conductors. Comply with SAE-AS7928.

Terminate stranded conductors smaller than no. 14 in crimp style terminal lugs.

Terminate field conductors no. 12 and smaller with spade type terminals. Terminate field conductors no. 10 and larger with spade type or ring type terminals.

**Replace the value for resistivity in the table in the 6th paragraph of section 86-2.09E with:**

07-19-13

$25 \times 10^{13} \Omega$  per inch, minimum

**Add between "the" and "head" in the 3rd sentence of the 2nd paragraph of 86-2.09F:**

07-19-13

connector

**Replace "project" in the 3rd paragraph of section 86-2.11A with:**

10-19-12

work

**Replace "Contract" in item 2 in the list in the 11th paragraph of section 86-2.11A with:**

10-19-12

work

07-19-13

**Delete the 12th paragraph of section 86-2.11A.**

**Replace section 86-2.11C with:**

07-19-13

**86-2.11C Electrical Service for Booster Pumps**

Provide electrical service from the service point to the booster pump.

Furnish conductors, conduit, and pull boxes from the service point to the booster pump.

Do not use Type 3 conduit unless shown otherwise.

**Replace section 86-2.14A with:**

07-19-13

**86-2.14A General**

Deliver material and equipment for acceptance testing to either METS or a testing location as ordered.

Allow 30 days for testing. The Department notifies you when testing is complete. You must pick up the material or equipment from the test site and deliver it to the job site.

If material or equipment is rejected, allow 30 days for retesting. The retesting period starts when replacement material or equipment is delivered to the test site.

If material or equipment submitted for testing does not comply with the specifications, remove it within 5 business days after you are notified that the equipment is rejected. If equipment is not removed within that period, the Department may ship it to you and deduct the shipping cost.

Testing and quality control procedures for traffic signal controller assemblies must comply with NEMA TS standards for traffic control systems.

**Replace the 2nd paragraph of section 86-3.02A(1) with:**

07-19-13

The Department furnishes the BBS components under section 6-2.03.

**Replace the 9th paragraph of section 86-3.02B with:**

07-19-13

The couplings between the external cabinet and Model 332L cabinet must include a conduit for power connections between the 2 cabinets. Couplings must include:

1. 2-inch nylon-insulated steel chase nipple
2. 2-inch sealing steel locknut
3. 2-inch nylon-insulated steel bushing

07-19-13

**Delete item 1.3 in the list in the 7th paragraph of section 86-3.04A.**

**Replace the 2nd paragraph of section 86-4.01A with:**

07-19-13

The housing must not fail structurally as described in the following table:



### **Housing Structural Failure**

Housing type	Test method	Description of structural failure
Metal	California Test 666	Fracture within the housing assembly or deflection of more than half the lens diameter of the signal section during the wind load test
Plastic	California Test 605	Fracture within the housing assembly or deflection of more than 10 degrees in either the vertical or horizontal plane after the wind load has been removed from the front of the signal face or deflection of more than 6 degrees in either the vertical or horizontal plane after the wind load has been removed from the back of the signal face

#### **Replace the 1st sentence of section 86-4.01A(1) with:**

07-19-13

Each metal housing must have a metal visor.

#### **Replace the 1st sentence of section 86-4.01A(2) with:**

07-19-13

Each plastic housing must be molded in 1 piece or fabricated from 2 or more pieces and joined into a single piece.

#### **Delete item 1 in the list in section 86-4.01D(1)(b).**

07-19-13

#### **Replace the paragraphs in section 86-4.01D(1)(c)(i) with:**

07-19-13

LED signal modules must be on the Authorized Material List for LED traffic signals.

The Department tests modules under section 86-2.14A, ANSI/ASQ Z1.4, and:

1. California Test 604 for LED and circular LED signal modules
2. California Test 3001 for arrow, U-turn, and bicycle LED signal modules

The LED signal modules submitted for testing must be typical production units. LEDs must be spread evenly across the module.

The Department may test the modules on all parameters specified in section 86-4.01D.

#### **Replace the 1st and 2nd sentences of the 3rd paragraph of 86-4.01D(2)(b) with:**

07-19-13

The electrical connection for each flashing LED signal module must be 4 secured, color-coded, jacketed copper wires. The wire must comply with the NEC.

#### **Replace the heading of section 86-4.02 with:**

07-19-13

### **PROGRAMMED VISIBILITY VEHICLE SIGNAL SECTION**

**Replace "face" in the 1st paragraph of section 86-4.02 with:**

07-19-13

section

**Add before the 1st sentence in section 86-4.03A:**

07-19-13

The pedestrian signal face must be Type A.

**Replace the 1st sentence of the 2nd paragraph of section 86-4.03B with:**

07-19-13

The Department tests the pedestrian signal's front screen in a horizontal position with its edges supported.

**Delete items 1 and 4 in the list in section 86-4.03I(1)(b).**

07-19-13

**Replace the paragraphs of section 86-4.03I(1)(c)(i) with:**

07-19-13

The LED PSF module must be on the Authorized Material List for LED traffic signals.

The Department tests LED PSF modules under section 86-2.14A, ANSI/ASQ Z1.4, and California Test 606.

The LED PSF modules submitted for testing must be representative of typical production units.

The Department may test the modules on all parameters specified in section 86-4.03I.

**Replace item 1 in the list in the 1st paragraph of section 86-4.03I(2) with:**

07-19-13

1. Not include reflectors.

**Replace item 6 in the list in the 1st paragraph of section 86-4.03I(2) with:**

07-19-13

6. Be able to replace signal lamp optical units and pedestrian signal faces with LEDs.

**Replace the table titled "Chromaticity Standards (CIE Chart)" in the 16th paragraph of section 86-4.03I(2) with:**

07-19-13

**Chromaticity Standards (CIE Chart)**

Upraised hand	X: not greater than 0.659 or less than 0.600 Y: not greater than 0.390 or less than 0.331 Y= 0.990-X
Walking person	X: not greater than 0.440 or less than 0.280 Y: not greater than 0.0483 + 0.7917(X) or less than 0.0983 + 0.7917(X)

**Replace the paragraphs in section 86-4.03J with:**

10-17-14

Reserved

**Add between "beacon" and "must" in the 1st sentence of section 86-4.05:**

07-19-13

signal face

**Delete "face" in item 1 in the list in the 1st paragraph of section 86-4.05.**

07-19-13

**Replace the row for viscosity in the table in the 2nd paragraph of section 86-5.01A(3)(c) with:**

07-19-13

Viscosity, Brookfield Thermosel, no. 27 Spindle, 20 rpm, 190 °C	D 4402	2.5–3.5 Pa·s
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**Replace the paragraph in section 86-5.01A(3)(d) with:**

07-19-13

Use epoxy sealant for repair work in and around sawcuts housing inductive loops.

**Replace "all loop conductors" in the 3rd paragraph of section 86-5.01A(4) with:**

07-19-13

the detector lead-in cable

**Replace "Encase the loop wires" in the 1st sentence of the 3rd paragraph of section 86-5.01A(5) with:**

07-19-13

The loop wires must be encased

**Replace section 86-5.02 with:**

07-19-13

#### **86-5.02 PUSH BUTTON ASSEMBLIES**

The housing for a push button assembly must be die-cast or permanent mold-cast aluminum. The assembly must be rainproof and shockproof in any weather condition.

The push button's switch must be a single-pole, double-throw switching unit with screw-type terminals rated 15 A at 125 V(ac). The switch must have:

1. Plunger actuator and a U frame to allow recessed mounting in the push button housing
2. Operating force of 3.5 lb
3. Maximum pretravel of 5/64 inch
4. Minimum overtravel of 1/32 inch
5. Differential travel from 0.002 to 0.04 inch
6. 2-inch minimum diameter actuator

Where a push button is attached to a pole, the housing must be shaped to fit the pole's curvature. Use saddles if needed to make a neat and secure fit.



Replace the value for permittivity of woven fabric in the table in the 1st paragraph of section 88-1.02E with:

0.05

01-20-12

Replace the value for apparent size opening of nonwoven fabric in the table in the 1st paragraph of section 88-1.02E with:

0.012

01-20-12

Replace the table in the 1st paragraph of section 88-1.02G with:

01-20-12

**Sediment Filter Bag**

Property	Test	Values	
		Woven	Nonwoven
Grab breaking load, lb, 1-inch grip min, in each direction	ASTM D 4632	200	250
Apparent elongation, percent min, in each direction	ASTM D 4632	10	50
Water flow rate, gal per minute/sq ft min and max average roll value	ASTM D 4491	100-200	75-200
Permittivity, sec <sup>-1</sup> min	ASTM D 4491	1.0	1.0
Apparent opening size, inches max average roll value	ASTM D 4751	0.023	0.012
Ultraviolet resistance, % min retained grab breaking load, 500 hr.	ASTM D 4355	70	70

Replace the table in the 1st paragraph of section 88-1.02H with:

01-20-12

**Temporary Cover**

Property	Test	Values	
		Woven	Nonwoven
Grab breaking load, lb, 1-inch grip min, in each direction	ASTM D 4632	200	200
Apparent elongation, percent min, in each direction	ASTM D 4632	15	50
Water flow rate, gal per minute/sq ft min and max average roll value	ASTM D 4491	4-10	80-120
Permittivity, sec <sup>-1</sup> min	ASTM D 4491	0.05	1.0
Apparent opening size, inches max average roll value	ASTM D 4751	0.023	0.012
Ultraviolet resistance, % min retained grab breaking load, 500 hr.	ASTM D 4355	70	70

**Replace section 88-1.02P with:**

01-18-13

**88-1.02P Biaxial Geogrid**

Geosynthetics used for biaxial geogrid must be a punched and drawn polypropylene material formed into an integrally formed biaxial grid. When tested under the referenced test methods, properties of biaxial geogrid must have the values shown in the following table:

<b>Biaxial Geogrid</b>		
Property	Test	Value
Aperture size, inch <sup>a</sup> min and max	Calipered	0.8-1.3 x 1.0-1.6
Rib thickness, inch min	Calipered	0.04
Junction thickness, inch min	Calipered	0.150
Tensile strength, 2% strain, lb/ft <sup>a</sup> min	ASTM D 6637	410 x 620
Tensile strength at ultimate, lb/ft <sup>a</sup> min	ASTM D 6637	1,310 x 1,970
Ultraviolet resistance, percent min retained tensile strength, 500 hours	ASTM D 4355	100
Junction strength, lb/ft <sup>a</sup> min	ASTM D 7737	1,220 x 1,830
Overall flexural rigidity, mg-cm min	ASTM D 7748	750,000
Torsional rigidity at 20 cm-kg, mm-kg/deg <sup>b</sup> min	GRI:GG9	0.65

<sup>a</sup>Machine direction x cross direction

<sup>b</sup>Geosynthetic Research Institute, Test Method GG9, *Torsional Behavior of Bidirectional Geogrids When Subjected to In-Plane Rotation*

**Replace section 88-1.02Q with:**

07-19-13

**88-1.02Q Geosynthetic Bond Breaker**

Geosynthetic bond breaker must be nonwoven; needle punched; not heat treated; polypropylene, polyethylene material.

When tested under the referenced test methods, properties of geosynthetic bond breaker material must have the values shown in the following table:

### Geosynthetic Bond Breaker

Property	Test	Value
Mass per unit area, oz/sq yd min	ASTM D 5261	14.7
Thickness at 29 psi, mm min	ASTM D 5199	1.0
Tensile strength at ultimate, lbs/ft min	ASTM D 4595	685
Elongation, percent max	ASTM D 4595	130
Permittivity at 2.9 psi, m/s min	ASTM D 5493	0.0001
Hydraulic transmissivity at 29 psi, m/s min	ASTM D 6574	0.0002
Ultraviolet resistance, percent min retained grab breaking load, 500 hours	ASTM D 4355	60

AA

## 90 CONCRETE

07-19-13

**Replace the 3rd paragraph of section 90-1.01C(7) with:**

08-05-11

Submit weighmaster certificates in printed form or, if authorized, in electronic media. Present electronic media in a tab-delimited format on a CD or DVD. Captured data for the ingredients represented by each batch must be line feed carriage return and one line separate record with sufficient fields for the specified data.

**Replace the 3rd paragraph of section 90-3.01C(5) with:**

08-05-11

Production data must be input by hand into a pre-printed form or captured and printed by the proportioning device. Present electronic media containing recorded production data in a tab-delimited format on a CD or DVD. Each capture of production data must be followed by a line feed carriage return with sufficient fields for the specified data.

**Replace the 1st paragraph of section 90-4.01A with:**

07-19-13

Section 90-4 includes specifications for fabricating PC concrete members.

**Replace the paragraphs in section 90-4.01C with:**

07-19-13

### 90-4.01C(1) General

For reports and logs, type or clearly print the name next to the signature of the person signing the report or log.

Submit expansion test data under section 90-4.02, if required.

#### **90-4.01C(2) Certificates of Compliance**

Submit a certificate of compliance for the cementitious material used in PC concrete members. The certificate must be signed by the PC concrete product manufacturer.

Submit a certificate of compliance for each PC concrete member. The certificate of compliance for tier 1 and tier 2 members must be signed by the QC manager. The certificate of compliance for tier 3 members must be signed by the QC Inspector.

#### **90-4.01C(3) Precast Concrete Quality Control Plan**

Before performing any precasting activities for tier 1 and tier 2 PC concrete members, submit 3 copies of the project-specific QC plan for the PC plant. The QC plan must supplement the information from the authorized facility audit. Submit a separate QC plan for each plant. Allow 25 days for review.

Each project-specific QC plan must include:

1. Name of the precasting plant, concrete plants, and any testing laboratory to be used.
2. Manual prepared by the precasting plant that includes:
  - 2.1. Equipment description
  - 2.2. Testing procedures
  - 2.3. Safety plan
  - 2.4. Personnel names, qualifications, and copies of certifications
3. QC manager and QC inspector names, qualifications, and copies of certifications.
4. Organizational chart showing QC personnel and their assigned QC responsibilities.
5. Methods and frequencies for performing QC procedures including inspections, material testing, and any survey performed for all components of PC concrete members. Components include prestressing, concrete, grout, reinforcement, steel, miscellaneous metal, and formwork.
6. System for reporting noncompliant PC concrete members to the Engineer.
7. System for identification and tracking repairs and repair methods.
8. Procedure for the reinspection of repaired PC concrete members.
9. Forms for certificates of compliance, daily production logs, and daily reports.

Submit a revised QC plan for any changes to:

1. Concrete plants
2. Material sources
3. Material testing procedures
4. Testing laboratory
5. Procedures and equipment
6. Updated systems for tracking and identifying PC concrete members
7. QC personnel

After authorization, submit 7 copies of each authorized QC plan and make 1 copy available at each location where work is performed.

Allow 7 days for review of a revised QC plan.

#### **90-4.01C(4) Daily Production Log**

The QC inspector must provide reports to the QC manager for each day that precasting activities are performed.

The QC manager must maintain a daily production log of PC activities for each day's precasting. PC activities include setting forms, placing reinforcement, setting prestressing steel, casting, curing, post tensioning, and form release. This daily log must be available at the precasting plant. The daily log must include:

1. Plant location
2. Specific description of casting or related activities
3. Any problems or deficiencies discovered
4. Any testing or repair work performed



5. Names of QC inspectors and the specific QC inspections they performed that day
6. Reports for that day's precasting activities from each QC inspector including before, during, and after precast inspections

Immediately notify the Engineer when any precasting problems or deficiencies are discovered, and submit the proposed repair or process changes necessary to correct them.

#### **90-4.01C(5) Precast Concrete Report**

Before shipping PC concrete members, submit a PC concrete report. The report must include:

1. Reports of all material tests and any survey checks
2. Documentation that:
  - 2.1. You have evaluated all tests
  - 2.2. You corrected all rejected deficiencies
  - 2.3. Repairs have been reexamined with the required tests and found acceptable
3. Daily production logs
4. Certificates of compliance
5. Documentation of inspections

Each person who performs a material test or survey check must sign the corresponding report and submit the report directly to the QC manager.

#### **Replace the paragraphs in section 90-4.01D with:**

07-19-13

#### **90-4.01D(1) General**

Quality control and assurance for PC concrete includes:

1. Your QC program
2. Department's acceptance of PC concrete members

PC concrete members are categorized into the following 4 tiers:

1. Tier 1 consists of:
  - 1.1. Components of bridge structures, including girders, deck panels, bent caps, abutments, slabs, closure wall panels, and piling
  - 1.2. Prestressed pavement
2. Tier 2 consists of:
  - 2.1. Components of earth retaining systems
  - 2.2. Wingwalls
  - 2.3. Types A, B, and C pipe culvert headwalls, endwalls, and wingwalls
  - 2.4. Pavement
  - 2.5. Box culverts
  - 2.6. Sound wall panels and supports
3. Tier 3 consists of:
  - 3.1. Pipes
  - 3.2. Pipe drainage facilities
  - 3.3. Straight and "L" pipe culvert headwalls except those listed under tier 2
  - 3.4. Drainage Inlets
  - 3.5. Flared end sections
4. Tier 4 consists of any member not described as tier 1, tier 2, or tier 3

#### **90-4.01D(2) Quality Control**

##### **90-4.01D(2)(a) General**

For tier 1 and tier 2 PC concrete members:

1. Fabricate PC concrete members at a plant on the Authorized Facility Audit List

2. Assign a PC concrete QC manager to the plant
3. Assign a QC inspector who is either registered as a civil engineer in the State or:
  - 3.1. For tier 1, has a Plant Quality Personnel Level II certification from the Precast/Prestressed Concrete Institute
  - 3.2. For tier 2, has a Plant Quality Personnel Level I certification from the Precast/Prestressed Concrete Institute
4. Prepare a PC concrete QC plan
5. Perform PC concrete materials testing
6. Maintain a daily production log
7. Prepare a PC concrete report
8. Prepare a certificate of compliance

For tier 3 PC concrete members:

1. Assign a QC inspector who has one of the following qualifications:
  - 1.1. Registration as a civil engineer in the State.
  - 1.2. Plant Quality Personnel, Level I certification from the Precast/Prestressed Concrete Institute.
  - 1.3. Competency to perform inspection of PC operations. An inspector is competent if the individual has completed training or has experience in PC operations and inspection.
2. Prepare a certificate of compliance

For tier 4 PC concrete members, prepare a certificate of compliance.

For each ASTM test method specified in this section, the material's test result must comply with the requirement specified for the comparable test in section 90 unless otherwise specified.

If curing compound is used, provide certificate of compliance as specified in section 90-1.01C(5).

If PC concrete is manufactured at an established PC concrete plant, a trial batch and prequalification of the materials, mix proportions, mixing equipment, and procedures under section 90-1.01D(5)(b) are not required.

#### **90-4.01D(2)(b) Quality Control Meeting**

After submitting the PC concrete QC plan, hold a meeting to discuss the requirements for PC concrete QC. The meeting attendees must include the Engineer, the PC concrete QC manager, and a representative from each plant performing PC concrete activities for the Contract.

#### **90-4.01D(2)(c) Sampling, Testing, and Inspecting**

The QC laboratory testing personnel or the QC inspector must witness sampling. The QC laboratory testing personnel must perform testing.

QC laboratory testing personnel must have the following certifications, as applicable:

1. ACI Strength Testing Technician
2. ACI Concrete Laboratory Testing Technician Level 1
3. ACI Aggregate Testing Technician Level 2

The QC Inspector must perform inspections before, during, and after casting is complete.

QC field testing and inspection personnel must have an ACI Concrete Field Testing Technician, Grade I certification.

For each mix design used for tier 1 and tier 2 PC concrete members, perform sampling and testing at the minimum frequencies shown in the following tables:

### Aggregate QC Tests

Property	Test method	Minimum testing frequency
Aggregate gradation	ASTM C136	Once per 400 cu yd of concrete cast or once a week, whichever is more frequent
Sand equivalent	ASTM D2419	
Percent fines under 75 microns <sup>a</sup>	ASTM C117	
Moisture content of fine aggregate	ASTM C566, or electronically actuated moisture meter <sup>b</sup>	1–2 times per each day of pour, depending on conditions

<sup>a</sup>Percent fines under 75 microns test replaces the cleanness test in section 90-1.02C with the requirements of 1.5 percent maximum for "Operating Range" and 2.0 percent maximum for "Contract Compliance." The 5th paragraph of section 90-1.02C(2) does not apply.

<sup>b</sup>Electronically actuated moisture meter must be calibrated once per week per ASTM C566.

### Concrete QC Tests

Property	Test method	Minimum testing frequency
Compressive strength <sup>b</sup>	ASTM C172/C172M, ASTM C31/C31M, and ASTM C39/C39M	Once per 100 cu yd of concrete cast, or every day of casting, whichever is more frequent
Slump	ASTM C143/C143M	
Temperature	ASTM C1064/C1064M	
Density	ASTM C138	Once per 600 cu yd of concrete cast or each week of batching, whichever is more frequent
Air content	ASTM C231/C231M or ASTM C173/C173M <sup>a</sup>	If concrete is air entrained, once for each set of cylinders, and when conditions warrant

<sup>a</sup>ASTM C173/C173M must be used for lightweight concrete.

<sup>b</sup>Cylinders must be 6 by 12 inches.

If concrete is batched at more than 1 plant, perform the tests at each plant.

Cure test cylinders for determining time of prestressing loading in the same manner as the concrete in the member.

Cure test cylinders for determining compliance with 28-day strength requirements in the same manner as the member until completion of the steam curing process followed by a water bath or moist room at 60 to 80 degrees F until tested.

For PC concrete that is steam cured, concrete designated by compressive strength is acceptable if its compressive strength reaches the described 28-day compressive strength in no more than the maximum number of days specified or allowed after the concrete is cast.

**90-4.01D(3) Quality Assurance**

For PC concrete that is steam cured, the Engineer evaluates the compressive strength based on individual tests representing specific portions of production.

**Add between the 1st and 2nd paragraphs of section 90-4.02:**

07-19-13

PC portland cement based repair material must be on the Authorized Material List.

If municipally supplied potable water is used for PC concrete, the testing specified in section 90-1.02D is waived unless requested.

**Add to section 90-4.03:**

07-19-13

For dimensional tolerances of PC concrete members, comply with the Precast/Prestressed Concrete Institute Concrete Institute's *Tolerance Manual for Precast and Prestressed Concrete Construction, MNL 135-00*.

For tier 1 and tier 2 PC concrete members, apply curing compound using power-operated spraying equipment. You may request application by hand spraying for small quantities of PC concrete members. For tier 3 and tier 4 PC concrete members, the application of curing compound may be hand sprayed.

**Replace the item 2 in the list in the 2nd paragraph of section 90-4.03 with:**

07-19-13

2. To prevent moisture loss on the exposed surfaces during the presteaming period, cover the concrete as soon as possible after casting or keep the exposed surfaces wet by fog spray, curing compound, or wet blankets.

AA

**91 PAINT**

10-19-12

**Add to section 91-2:**

10-19-12

**91-2.03 MOISTURE-CURED POLYURETHANE COATING**

Reserved

**Replace "saint" in the 1st paragraph of section 91-4.05 with:**

10-19-12

paint

AA

## 92 ASPHALTS

07-19-13

Replace "Reserved" in section 92-1.01B with:

07-19-13

**modified asphalt binder:** Asphalt binder modified with polymers, crumb rubber, or both.

Replace the row for dynamic shear for original binder in the table in the 1st paragraph of section 92-1.02B with:

01-20-12

Dynamic shear, Test temperature at 10 rad/s, °C min G*/sin(delta), kPa max G*/sin(delta), kPa	T 315	58 1.00 2.00	64 1.00 2.00	64 1.00 2.00	64 1.00 2.00	70 1.00 2.00
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**Replace 2nd paragraph of section 92-1.02B with:**

07-19-13

PG modified asphalt binder must comply with the requirements shown in the following table:

PG Modified Asphalt Binder				
Property	AASHTO Test Method	Grade		
		PG 58–34 M	PG 64–28 M	PG 76–22 M
Original Binder				
Flash point, min °C	T 48	230	230	230
Solubility, min %	T 44 <sup>a</sup>	97.5	97.5	97.5 <sup>b</sup>
Viscosity at 135 °C <sup>c</sup> , max, Pa·s	T 316	3.0	3.0	3.0
Dynamic shear, Test temperature at 10 rad/s, °C min G*/sin(delta), kPa	T 315	58 1.00	64 1.00	76 1.00
RTFO test <sup>d</sup> , Mass loss, max, %	T 240	1.00	1.00	1.00
RTFO Test Aged Binder				
Dynamic shear, Test temperature at 10 rad/s, °C min G*/sin(delta), kPa	T 315	58 2.20	64 2.20	76 2.20
Dynamic shear, Test temperature at 10 rad/s, °C max (delta), degree	T 315	80 <sup>e</sup>	80 <sup>e</sup>	80 <sup>e</sup>
Elastic recovery <sup>f</sup> , Test temperature °C min recovery, %	T 301	25 75	25 75	25 65
PAV <sup>g</sup> , temperature, °C	R 28	100	100	110
RTFO Test and PAV Aged Binder				
Dynamic shear, Test temperature at 10 rad/s, °C max G*sin(delta), kPa	T 315	16 5000	22 5000	31 5000
Creep stiffness, Test temperature, °C max S-value, MPa min M-value	T 313	-24 300 0.300	-18 300 0.300	-12 300 0.300

<sup>a</sup>The Department allows ASTM D 5546 or ASTM D 7753 instead of AASHTO T 44. Particles recovered from ASTM D 5546 or ASTM D 7753 or AASHTO T 44 must be less than 250  $\mu\text{m}$ .

<sup>b</sup>Report only for spray application.

<sup>c</sup>The Engineer waives this specification if the supplier provides written certification the asphalt can be adequately pumped and mixed at temperatures meeting applicable safety standards.

<sup>d</sup>"RTFO Test" means the asphaltic residue obtained using the Rolling Thin Film Oven Test, AASHTO Test Method T 240 or ASTM D 2872. The residue from mass change determination may be used for other tests.

<sup>e</sup>Test temperature is the temperature at which  $G^*/\sin(\delta)$  is 2.2 kPa. A graph of  $\log G^*/\sin(\delta)$  plotted against temperature may be used to determine the test temperature when  $G^*/\sin(\delta)$  is 2.2 kPa. A graph of  $\delta$  versus temperature may be used to determine  $\delta$  at the temperature when  $G^*/\sin(\delta)$  is 2.2 kPa. The graph must have at least two points that envelope  $G^*/\sin(\delta)$  of 2.2 kPa and the test temperature must not be more than 6 degree C apart. The Engineer also accepts direct measurement of  $\delta$  at the temperature when  $G^*/\sin(\delta)$  is 2.2 kPa.

<sup>f</sup>Tests without a force ductility clamp may be performed.

<sup>g</sup>"PAV" means "Pressure Aging Vessel."

Do not modify PG modified asphalt binder using polyphosphoric acid.

Crumb rubber must be from automobile and truck tires and must be free from contaminants including fabric, metal, minerals, and other nonrubber substances.

PG modified asphalt binder modified with crumb rubber must be homogeneous and must not contain visible particles of crumb rubber.

The supplier of PG modified asphalt binder modified with crumb rubber must:

1. Report the amount of crumb rubber by weight of asphalt binder
2. Certify a minimum of 10 percent of crumb rubber by weight of asphalt binder

AA

## 93 LIQUID ASPHALTS

07-19-13

Replace "Celsius" the 1st row in the table in the 8th paragraph of section 93-1.04 with:

07-19-13

Fahrenheit

AA

## 94 ASPHALTIC EMULSIONS

03-21-14

Replace the 1st paragraph of section 94-1.04 with:

03-21-14

Asphaltic emulsion is measured by weight under the specifications requiring its use. If water is added to the asphaltic emulsion, the quantity of asphaltic emulsion is determined before the addition of water.

**APPENDIX B**

**FEDERAL WAGE RATES**



## **FEDERAL WAGE RATES**

General Decision Number: CA170009 03/31/2017 CA9

Superseded General Decision Number: CA20160009

State: California

Construction Types: Building, Heavy (Heavy and Dredging) and Highway

Counties: Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lassen, Marin, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo and Yuba Counties in California.

BUILDING CONSTRUCTION PROJECTS (excluding Amador County only);  
DREDGING CONSTRUCTION PROJECTS (does not include hopper dredge work); HEAVY CONSTRUCTION PROJECTS (does not include water well drilling); AND HIGHWAY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.20 for calendar year 2017 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.20 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2017. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

Modification Number	Publication Date
0	01/06/2017
1	01/20/2017
2	01/27/2017
3	02/17/2017
4	03/31/2017

ASBE0016-001 08/01/2016

AREA 1: MARIN, NAPA, SAN BENITO, SAN FRANCISCO, SOLANO, & SONOMA COUNTIES

AREA 2: ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHEMA, TRINITY, YOLO, & YUBA COUNTIES

Rates

Fringes

Asbestos Workers/Insulator  
(Includes the application of  
all insulating materials,  
Protective Coverings,

Coatings, and Finishes to all  
types of mechanical systems)

Area 1.....	\$ 62.36	23.10
Area 2.....	\$ 46.96	23.10

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ASBE0016-007 01/01/2015

AREA 1 : ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN,  
LASSEN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA,  
SIERRA, SISKIYOU, SOLANO, SONOMA, SUTTER, TEHAMA, TRINITY, YOLO  
& YUBA COUNTIES

AREA 2: MARIN & NAPA COUNTIES

	Rates	Fringes
Asbestos Removal worker/hazardous material handler (Includes preparation, wetting, stripping, removal, scrapping, vacuuming, bagging and disposing of all insulation materials from mechanical systems, whether they contain asbestos or not)		
AREA 1.....	\$ 28.30	7.75
AREA 2.....	\$ 32.38	7.75

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BOIL0549-002 01/01/2013

	Rates	Fringes
BOILERMAKER		
(1) Marin & Solano Counties.	\$ 42.06	33.43
(2) Remaining Counties.....	\$ 38.37	31.32

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\* BRCA0003-001 02/01/2017

	Rates	Fringes
MARBLE FINISHER.....	\$ 31.17	14.99

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BRCA0003-004 05/01/2016

AREA 1: ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN,  
LASSEN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA,  
SIERRA, SUTTER, TEHAMA, YOLO AND YUBA COUNTIES

AREA 2: MARIN, NAPA, SISKIYOU, SOLANO, SONOMA AND TRINITY  
COUNTIES

	Rates	Fringes
BRICKLAYER		
AREA 1.....	\$ 38.21	20.71
AREA 2.....	\$ 40.89	25.78

SPECIALTY PAY:

- (A) Underground work such as tunnel work, sewer work, manholes, catch basins, sewer pipes and telephone conduit shall be paid \$1.25 per hour above the regular rate. Work in direct contact with raw sewage shall receive \$1.25 per hour in addition to the above.
- (B) Operating a saw or grinder shall receive \$1.25 per hour above the regular rate.
- (C) Guniting nozzle person shall receive \$1.25 per hour above the regular rate.

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BRCA0003-008 07/01/2016

	Rates	Fringes
TERRAZZO FINISHER.....	\$ 34.43	16.58
TERRAZZO WORKER/SETTER.....	\$ 42.41	26.31

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BRCA0003-010 10/01/2016

	Rates	Fringes
TILE FINISHER		
Area 1.....	\$ 24.11	12.10
Area 2.....	\$ 24.13	14.67
Area 3.....	\$ 23.49	12.77
Area 4.....	\$ 24.16	14.01
Tile Layer		
Area 1.....	\$ 40.87	14.41
Area 2.....	\$ 39.14	16.20
Area 3.....	\$ 41.87	14.24
Area 4.....	\$ 40.77	16.21

AREA 1: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo, Yuba  
 AREA 2: Alpine, Amador  
 AREA 3: Marin, Napa, Solano, Siskiyou  
 AREA 4: Sonoma

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\* BRCA0003-014 02/01/2017

	Rates	Fringes
MARBLE MASON.....	\$ 41.77	26.76

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CARP0034-001 07/01/2016

	Rates	Fringes
Diver		
Assistant Tender, ROV		
Tender/Technician.....	\$ 43.65	31.40
Diver standby.....	\$ 48.61	31.40
Diver Tender.....	\$ 47.82	31.40
Diver wet.....	\$ 93.17	31.40
Manifold Operator (mixed gas).....	\$ 52.82	31.40
Manifold Operator (Standby).....	\$ 47.82	31.40

DEPTH PAY (Surface Diving):  
 050 to 100 ft \$2.00 per foot  
 101 to 150 ft \$3.00 per foot  
 151 to 220 ft \$4.00 per foot

SATURATION DIVING:

The standby rate shall apply until saturation starts. The saturation diving rate applies when divers are under pressure continuously until work task and decompression are complete. The diver rate shall be paid for all saturation hours.

DIVING IN ENCLOSURES:

Where it is necessary for Divers to enter pipes or tunnels, or other enclosures where there is no vertical ascent, the following premium shall be paid: Distance traveled from entrance 26 feet to 300 feet: \$1.00 per foot. When it is necessary for a diver to enter any pipe, tunnel or other enclosure less than 48" in height, the premium will be \$1.00 per foot.

WORK IN COMBINATION OF CLASSIFICATIONS:

Employees working in any combination of classifications within the diving crew (except dive supervisor) in a shift are paid in the classification with the highest rate for that shift.

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 CARP0034-003 07/01/2014

	Rates	Fringes
Piledriver.....	\$ 40.60	30.73

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CARP0035-001 08/01/2016

AREA 1: MARIN, NAPA, SOLANO & SONOMA

AREA 3: SACRAMENTO, WESTERN EL DORADO (Territory west of an including highway 49 and the territory inside the city limits of Placerville), WESTERN PLACER (Territory west of and including highway 49), & YOLO

AREA 4: ALPINE, BUTTE, COLUSA, EASTERN EL DORADO, GLENN, LASSEN, MODOC, NEVADA, EASTERN PLACER, PLUMAS, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHAMA, TRINITY, & YUBA

	Rates	Fringes
Drywall Installers/Lathers:		
Area 1.....	\$ 44.40	28.64
Area 3.....	\$ 37.02	28.64
Area 4.....	\$ 37.67	28.64
Drywall Stocker/Scraper		
Area 1.....	\$ 22.20	16.57
Area 3.....	\$ 19.51	16.57
Area 4.....	\$ 18.84	16.57

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CARP0035-009 07/01/2016

Marin County

	Rates	Fringes
CARPENTER		
Bridge Builder/Highway		
Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer,		
Shingler, Power Saw		
Operator, Steel Scaffold &		
Steel Shoring Erector, Saw		
Filer.....	\$ 44.55	28.20
Journeyman Carpenter.....	\$ 44.40	28.20
Millwright.....	\$ 44.50	29.79

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CARP0035-010 07/01/2016

AREA 1: Marin, Napa, Solano & Sonoma Counties

AREA 2: Monterey, San Benito and Santa Cruz

AREA 3: Alpine, Butte, Colusa, El Dorado, Glenn, Lassen, Modoc,  
Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou,  
Sutter, Tehama, Trinity, Yolo & Yuba counties

	Rates	Fringes
Modular Furniture Installer		
Area 1		
Installer I.....	\$ 24.91	19.62
Installer II.....	\$ 21.48	19.63
Lead Installer.....	\$ 28.36	20.13
Master Installer.....	\$ 32.58	19.63
Area 2		
Installer I.....	\$ 22.26	19.63
Installer II.....	\$ 19.31	19.63
Lead Installer.....	\$ 25.23	20.13
Master Installer.....	\$ 28.86	20.13
Area 3		
Installer I.....	\$ 21.31	19.63
Installer II.....	\$ 18.54	19.63
Lead Installer.....	\$ 24.11	20.13
Master Installer.....	\$ 31.13	20.13

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CARP0046-001 07/01/2016

El Dorado (West), Placer (West), Sacramento and Yolo Counties

	Rates	Fringes
Carpenters		
Bridge Builder/Highway		
Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer,		
Shingler, Power Saw		
Operator, Steel Scaffold &		
Steel Shoring Erector, Saw		
Filer.....	\$ 38.67	28.20
Journeyman Carpenter.....	\$ 38.52	28.20
Millwright.....	\$ 41.02	29.79

Footnote: Placer County (West) includes territory West of and including Highway 49 and El Dorado County (West) includes territory West of and including Highway 49 and territory inside the city limits of Placerville.

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CARP0046-002 07/01/2016

Alpine, Colusa, El Dorado (East), Nevada, Placer (East),  
Sierra, Sutter and Yuba Counties

	Rates	Fringes
Carpenters		
Bridge Builder/Highway Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer.....	\$ 37.32	28.20
Journeyman Carpenter.....	\$ 37.17	28.20
Millwright.....	\$ 39.67	29.79

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CARP0152-003 07/01/2016

Amador County

	Rates	Fringes
Carpenters		
Bridge Builder/Highway Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer.....	\$ 37.32	28.20
Journeyman Carpenter.....	\$ 37.17	28.20
Millwright.....	\$ 39.67	29.79

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CARP0180-001 07/01/2016

Solano County

	Rates	Fringes
Carpenters		
Bridge Builder/Highway Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer.....	\$ 44.55	28.20
Journeyman Carpenter.....	\$ 44.40	28.20
Millwright.....	\$ 44.50	29.79

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CARP0751-001 07/01/2016

Napa and Sonoma Counties

	Rates	Fringes
Carpenters		
Bridge Builder/Highway		
Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer,		
Shingler, Power Saw		
Operator, Steel Scaffold &		
Steel Shoring Erector, Saw		
Filer.....	\$ 44.55	28.20
Journeyman Carpenter.....	\$ 44.40	28.20
Millwright.....	\$ 44.50	29.79

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CARP1599-001 07/01/2016

Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama  
and Trinity Counties

	Rates	Fringes
Carpenters		
Bridge Builder/Highway		
Carpenter.....	\$ 44.40	28.20
Hardwood Floorlayer,		
Shingler, Power Saw		
Operator, Steel Scaffold &		
Steel Shoring Erector, Saw		
Filer.....	\$ 37.32	28.20
Journeyman Carpenter.....	\$ 37.17	28.20
Millwright.....	\$ 39.67	29.79

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ELEC0180-001 06/01/2016

NAPA AND SOLANO COUNTIES

	Rates	Fringes
CABLE SPLICER.....	\$ 50.97	3%+20.13
ELECTRICIAN.....	\$ 46.31	22.52

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ELEC0180-003 12/01/2016

NAPA AND SOLANO COUNTIES

	Rates	Fringes
Sound & Communications		
Installer.....	\$ 35.07	3%+17.55
Technician.....	\$ 39.93	3%+17.55

SCOPE OF WORK INCLUDES-

SOUND & VOICE TRANSMISSION (Music, Intercom, Nurse Call,  
Telephone); FIRE ALARM SYSTEMS [excluding fire alarm work  
when installed in raceways (including wire and cable  
pulling) and when performed on new or major remodel  
building projects or jobs],  
TELEVISION & VIDEO SYSTEMS, SECURITY SYSTEMS, COMMUNICATIONS

SYSTEMS that transmit or receive information and/or control systems that are intrinsic to the above.

EXCLUDES-

Excludes all other data systems or multiple systems which include control function or power supply; excludes installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excludes energy management systems.

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ELEC0340-002 12/01/2016

ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN,  
NEVADA, PLACER, PLUMAS, SACRAMENTO, TRINITY, YOLO, YUBA COUNTIES

	Rates	Fringes
Communications System		
Sound & Communications		
Installer.....	\$ 28.35	3%+14.46
Sound & Communications		
Technician.....	\$ 32.60	3%+14.46

SCOPE OF WORK

Includes the installation testing, service and maintenance, of the following systems which utilize the transmission and/or transference of voice, sound, vision and digital for commercial, education, security and entertainment purposes for the following TV monitoring and surveillance, background-foreground music, intercom and telephone interconnect, inventory control systems, microwave transmission, multi-media, multiplex, nurse call system, radio page, school intercom and sound, burglar alarms, and low voltage master clock systems.

A. SOUND AND VOICE TRANSMISSION/TRANSFERENCE SYSTEMS

Background foreground music Intercom and telephone interconnect systems, Telephone systems, Nurse call systems, Radio page systems, School intercom and sound systems, Burglar alarm systems, Low voltage master clock systems, Multi-media/multiplex systems, Sound and musical entertainment systems, RF systems, Antennas and Wave Guide.

B. FIRE ALARM SYSTEMS

Installation, wire pulling and testing

C. TELEVISION AND VIDEO SYSTEMS      Television monitoring and surveillance systems, Video security systems, Video entertainment systems, Video educational systems, Microwave transmission systems, CATV and CCTV

D. SECURITY SYSTEMS      Perimeter security systems  
Vibration sensor systems      Card access systems      Access  
control systems      Sonar/infrared monitoring equipment

E. COMMUNICATIONS SYSTEMS THAT TRANSMIT OR RECEIVE



INFORMATION AND/OR CONTROL SYSTEMS THAT ARE INTRINSIC TO  
 THE ABOVE LISTED SYSTEMS SCADA (Supervisory Control and  
 Data Acquisition) PCM (Pulse Code Modulation)  
 Inventory Control Systems Digital Data Systems  
 Broadband and Baseband and Carriers Point of Sale  
 Systems VSAT Data Systems Data Communication  
 Systems RF and Remote Control Systems Fiber Optic  
 Data Systems WORK EXCLUDED Raceway systems are not covered  
 (excluding Ladder-Rack for the purpose of the above listed  
 systems). Chases and/or nipples (not to exceed 10 feet)  
 may be installed on open wiring systems. Energy management  
 systems. SCADA (Supervisory Control and Data Acquisition)  
 when not intrinsic to the above listed systems (in the  
 scope). Fire alarm systems when installed in raceways  
 (including wire and cable pulling) shall be performed at  
 the electrician wage rate, when either of the following two  
 (2) conditions apply:  
 1. The project involves new or major remodel building trades  
 construction.  
 2. The conductors for the fire alarm system are installed in  
 conduit.

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 ELEC0340-003 02/01/2016

ALPINE (West of Sierra Mt. Watershed), AMADOR, BUTTE, COLUSA,  
 EL DORADO (West of Sierra Mt. Watershed), GLENN, LASSEN, NEVADA  
 (West of Sierra Mt. Watershed), PLACER, PLUMAS, SACRAMENTO,  
 SHASTA, SIERRA (West of Sierra Mt. Watershed), SUTTER, TEHAMA,  
 TRINITY, YOLO & YUBA COUNTIES

	Rates	Fringes
ELECTRICIAN		
Remaining area.....	\$ 39.06	24.51
Sierra Army Depot, Herlong..	\$ 48.83	18.54
Tunnel work.....	\$ 41.01	18.54

CABLE SPLICER: Receives 110% of the Electrician basic hourly  
 rate.

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 ELEC0401-005 07/01/2016

ALPINE (east of the main watershed divide), EL DORADO (east of  
 the main watershed divide), NEVADA (east of the main  
 watershed), PLACER (east of the main watershed divide) and  
 SIERRA (east of the main watershed divide) COUNTIES:

	Rates	Fringes
ELECTRICIAN.....	\$ 38.50	16.82

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 ELEC0551-004 06/01/2016

MARIN AND SONOMA COUNTIES

	Rates	Fringes
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ELECTRICIAN.....\$ 47.40 19.78

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ELEC0551-005 12/01/2016

MARIN & SONOMA COUNTIES

	Rates	Fringes
Sound & Communications		
Installer.....	\$ 35.07	18.91
Technician.....	\$ 39.33	19.04

SCOPE OF WORK INCLUDES-

SOUND & VOICE TRANSMISSION (Music, Intercom, Nurse Call, Telephone); FIRE ALARM SYSTEMS [excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs], TELEVISION & VIDEO SYSTEMS, SECURITY SYSTEMS, COMMUNICATIONS SYSTEMS that transmit or receive information and/or control systems that are intrinsic to the above.

EXCLUDES-

Excludes all other data systems or multiple systems which include control function or power supply; excludes installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excludes energy management systems.

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ELEC0659-006 01/01/2017

DEL NORTE, MODOC and SISKIYOU COUNTIES

	Rates	Fringes
ELECTRICIAN.....	\$ 31.70	13.53

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ELEC0659-008 02/01/2013

DEL NORTE, MODOC & SISKIYOU COUNTIES

	Rates	Fringes
Line Construction		
(1) Cable Splicer.....	\$ 51.09	4%+13.30
(2) Lineman, Pole Sprayer,		
Heavy Line Equipment Man....	\$ 45.62	4%+13.30
(3) Tree Trimmer.....	\$ 32.07	4%+9.80
(4) Line Equipment Man.....	\$ 45.62	4%+9.80
(5) Powdermen,		
Jackhammermen.....	\$ 34.22	4%+9.80
(6) Groundman.....	\$ 31.31	4%+9.80

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ELEC1245-004 06/01/2015

ALL COUNTIES EXCEPT DEL NORTE, MODOC & SISKIYOU

	Rates	Fringes
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LINE CONSTRUCTION

(1) Lineman; Cable splicer..\$ 52.85	15.53
(2) Equipment specialist (operates crawler tractors, commercial motor vehicles, backhoes, trenchers, cranes (50 tons and below), overhead & underground distribution line equipment).....\$ 42.21	14.32
(3) Groundman.....\$ 32.28	14.03
(4) Powderman.....\$ 47.19	14.06

HOLIDAYS: New Year's Day, M.L. King Day, Memorial Day,  
Independence Day, Labor Day, Veterans Day, Thanksgiving Day  
and day after Thanksgiving, Christmas Day

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ELEV0008-001 01/01/2017

	Rates	Fringes
ELEVATOR MECHANIC.....\$ 63.44		31.585

FOOTNOTE:

PAID VACATION: Employer contributes 8% of regular hourly  
rate as vacation pay credit for employees with more than 5  
years of service, and 6% for 6 months to 5 years of service.  
PAID HOLIDAYS: New Years Day, Memorial Day, Independence Day,  
Labor Day, Veterans Day, Thanksgiving Day, Friday after  
Thanksgiving, and Christmas Day.

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ENGI0003-008 07/01/2013

	Rates	Fringes
Dredging: (DREDGING: CLAMSHELL & DIPPER DREDGING; HYDRAULIC SUCTION DREDGING:)		
AREA 1:		
(1) Leverman.....\$ 40.53		27.81
(2) Dredge Dozer; Heavy duty repairman.....\$ 35.57		27.81
(3) Booster Pump Operator; Deck Engineer; Deck mate; Dredge Tender; Winch Operator.....\$ 34.45		27.81
(4) Bargeman; Deckhand; Fireman; Leveehand; Oiler..\$ 31.15		27.81
AREA 2:		
(1) Leverman.....\$ 42.53		27.81
(2) Dredge Dozer; Heavy duty repairman.....\$ 37.57		27.81
(3) Booster Pump Operator; Deck Engineer; Deck mate; Dredge Tender; Winch Operator.....\$ 36.45		27.81

(4) Bargeman; Deckhand;  
Fireman; Leveehand; Oiler..\$ 33.15 27.81

AREA DESCRIPTIONS

AREA 1: ALAMEDA,BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED,  
NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN,  
SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS,  
SUTTER, YOLO, AND YUBA COUNTIES

AREA 2: MODOC COUNTY

THE REMAINGING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2  
AS NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part

Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Remainder

Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part

Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part

Area 2: Remainder

FRESNO COUNTY:

Area 1: Remainder

Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part

Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border  
with Shasta County

Area 2: Remainder

MADERA COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Except Eastern part

Area 2: Eastern part

MONTERREY COUNTY

Area 1: Except Southwestern part

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of  
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Remainder

TEHAMA COUNTY:

Area 1: All but the Western border with Mendocino & Trinity  
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeastern border with  
Shasta County

Area 2: Remainder

TUOLUMNE COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

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ENGI0003-018 06/30/2014

"AREA 1" WAGE RATES ARE LISTED BELOW

"AREA 2" RECEIVES AN ADDITIONAL \$2.00 PER HOUR ABOVE AREA 1  
RATES.

SEE AREA DEFINITIONS BELOW

	Rates	Fringes
OPERATOR: Power Equipment		
(AREA 1:)		
GROUP 1.....	\$ 39.85	27.44
GROUP 2.....	\$ 38.32	27.44
GROUP 3.....	\$ 36.84	27.44
GROUP 4.....	\$ 35.46	27.44
GROUP 5.....	\$ 34.19	27.44
GROUP 6.....	\$ 32.87	27.44
GROUP 7.....	\$ 31.73	27.44
GROUP 8.....	\$ 30.59	27.44

GROUP 8-A.....	\$ 28.38	27.44
OPERATOR: Power Equipment		
(Cranes and Attachments -		
AREA 1:)		
GROUP 1		
Cranes.....	\$ 40.73	27.44
Oiler.....	\$ 33.76	27.44
Truck crane oiler.....	\$ 37.33	27.44
GROUP 2		
Cranes.....	\$ 38.97	27.44
Oiler.....	\$ 33.50	27.44
Truck crane oiler.....	\$ 37.04	27.44
GROUP 3		
Cranes.....	\$ 37.23	27.44
Hydraulic.....	\$ 32.87	27.44
Oiler.....	\$ 33.26	27.44
Truck Crane Oiler.....	\$ 36.77	27.44
GROUP 4		
Cranes.....	\$ 34.19	27.44
OPERATOR: Power Equipment		
(Piledriving - AREA 1:)		
GROUP 1		
Lifting devices.....	\$ 41.07	27.44
Oiler.....	\$ 31.81	27.44
Truck crane oiler.....	\$ 34.09	27.44
GROUP 2		
Lifting devices.....	\$ 39.25	27.44
Oiler.....	\$ 31.54	27.44
Truck Crane Oiler.....	\$ 33.84	27.44
GROUP 3		
Lifting devices.....	\$ 37.57	27.44
Oiler.....	\$ 31.32	27.44
Truck Crane Oiler.....	\$ 33.55	27.44
GROUP 4		
Lifting devices.....	\$ 35.80	27.44
GROUP 5		
Lifting devices.....	\$ 34.50	27.44
GROUP 6		
Lifting devices.....	\$ 33.16	27.44
OPERATOR: Power Equipment		
(Steel Erection - AREA 1:)		
GROUP 1		
Cranes.....	\$ 41.70	27.44
Oiler.....	\$ 32.15	27.44
Truck Crane Oiler.....	\$ 34.38	27.44
GROUP 2		
Cranes.....	\$ 39.93	27.44
Oiler.....	\$ 31.88	27.44
Truck Crane Oiler.....	\$ 34.16	27.44
GROUP 3		
Cranes.....	\$ 38.45	27.44
Hydraulic.....	\$ 32.67	27.44
Oiler.....	\$ 31.66	27.44
Truck Crane Oiler.....	\$ 33.89	27.44
GROUP 4		
Cranes.....	\$ 36.43	27.44
GROUP 5		
Cranes.....	\$ 35.13	27.44
OPERATOR: Power Equipment		
(Tunnel and Underground Work		
- AREA 1:)		

SHAFTS, STOPES, RAISES:

GROUP 1.....	\$ 35.95	27.44
GROUP 1-A.....	\$ 38.32	27.44
GROUP 2.....	\$ 34.59	27.44
GROUP 3.....	\$ 33.36	27.44
GROUP 4.....	\$ 32.22	27.44
GROUP 5.....	\$ 31.08	27.44

UNDERGROUND:

GROUP 1.....	\$ 35.85	27.44
GROUP 1-A.....	\$ 38.32	27.44
GROUP 2.....	\$ 34.59	27.44
GROUP 3.....	\$ 33.26	27.44
GROUP 4.....	\$ 32.12	27.44
GROUP 5.....	\$ 30.98	27.44

FOOTNOTE: Work suspended by ropes or cables, or work on a Yo-Yo Cat: \$.60 per hour additional.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Operator of helicopter (when used in erection work); Hydraulic excavator, 7 cu. yds. and over; Power shovels, over 7 cu. yds.

GROUP 2: Highline cableway; Hydraulic excavator, 3-1/2 cu. yds. up to 7 cu. yds.; Licensed construction work boat operator, on site; Power blade operator (finish); Power shovels, over 1 cu. yd. up to and including 7 cu. yds. m.r.c.

GROUP 3: Asphalt milling machine; Cable backhoe; Combination backhoe and loader over 3/4 cu. yds.; Continuous flight tie back machine assistant to engineer or mechanic; Crane mounted continuous flight tie back machine, tonnage to apply; Crane mounted drill attachment, tonnage to apply; Dozer, slope brd; Gradall; Hydraulic excavator, up to 3 1/2 cu. yds.; Loader 4 cu. yds. and over; Long reach excavator; Multiple engine scraper (when used as push pull); Power shovels, up to and including 1 cu. yd.; Pre-stress wire wrapping machine; Side boom cat, 572 or larger; Track loader 4 cu. yds. and over; Wheel excavator (up to and including 750 cu. yds. per hour)

GROUP 4: Asphalt plant engineer/box person; Chicago boom; Combination backhoe and loader up to and including 3/4 cu. yd.; Concrete batch plant (wet or dry); Dozer and/or push cat; Pull- type elevating loader; Gradesetter, grade checker (GPS, mechanical or otherwise); Grooving and grinding machine; Heading shield operator; Heavy-duty drilling equipment, Hughes, LDH, Watson 3000 or similar; Heavy-duty repairperson and/or welder; Lime spreader; Loader under 4 cu. yds.; Lubrication and service engineer (mobile and grease rack); Mechanical finishers or spreader machine (asphalt, Barber-Greene and similar); Miller Formless M-9000 slope paver or similar; Portable crushing and screening plants; Power blade support; Roller operator, asphalt; Rubber-tired scraper, self-loading (paddle-wheels, etc.); Rubber- tired earthmoving equipment (scrapers); Slip form paver (concrete); Small tractor with drag; Soil stabilizer (P & H or equal); Spider plow and spider puller;

Tubex pile rig; Unlicensed construction work boat operator, on site; Timber skidder; Track loader up to 4 yds.; Tractor-drawn scraper; Tractor, compressor drill combination; Welder; Woods-Mixer (and other similar Pugmill equipment)

GROUP 5: Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete conveyor or concrete pump, truck or equipment mounted; Concrete conveyor, building site; Concrete pump or pumpcrete gun; Drilling equipment, Watson 2000, Texoma 700 or similar; Drilling and boring machinery, horizontal (not to apply to waterliners, wagon drills or jackhammers); Concrete mixer/all; Person and/or material hoist; Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical burm, curb and/or curb and gutter machine, concrete or asphalt; Mine or shaft hoist; Portable crusher; Power jumbo operator (setting slip-forms, etc., in tunnels); Screed (automatic or manual); Self-propelled compactor with dozer; Tractor with boom D6 or smaller; Trenching machine, maximum digging capacity over 5 ft. depth; Vermeer T-600B rock cutter or similar

GROUP 6: Armor-Coater (or similar); Ballast jack tamper; Boom- type backfilling machine; Assistant plant engineer; Bridge and/or gantry crane; Chemical grouting machine, truck-mounted; Chip spreading machine operator; Concrete saw (self-propelled unit on streets, highways, airports and canals); Deck engineer; Drilling equipment Texoma 600, Hughes 200 Series or similar up to and including 30 ft. m.r.c.; Drill doctor; Helicopter radio operator; Hydro-hammer or similar; Line master; Skidsteer loader, Bobcat larger than 743 series or similar (with attachments); Locomotive; Lull hi-lift or similar; Oiler, truck mounted equipment; Pavement breaker, truck-mounted, with compressor combination; Paving fabric installation and/or laying machine; Pipe bending machine (pipelines only); Pipe wrapping machine (tractor propelled and supported); Screed (except asphaltic concrete paving); Self- propelled pipeline wrapping machine; Tractor; Self-loading chipper; Concrete barrier moving machine

GROUP 7: Ballast regulator; Boom truck or dual-purpose A-frame truck, non-rotating - under 15 tons; Cargy lift or similar; Combination slurry mixer and/or cleaner; Drilling equipment, 20 ft. and under m.r.c.; Firetender (hot plant); Grouting machine operator; Highline cableway signalperson; Stationary belt loader (Kolman or similar); Lift slab machine (Vagtborg and similar types); Maginnes internal full slab vibrator; Material hoist (1 drum); Mechanical trench shield; Pavement breaker with or without compressor combination); Pipe cleaning machine (tractor propelled and supported); Post driver; Roller (except asphalt); Chip Seal; Self-propelled automatically applied concrete curing machine (on streets, highways, airports and canals); Self-propelled compactor (without dozer); Signalperson; Slip-form pumps (lifting device for concrete forms); Tie spacer; Tower mobile; Trenching machine, maximum digging capacity up to and including 5 ft. depth; Truck- type loader

GROUP 8: Bit sharpener; Boiler tender; Box operator;



Brakeperson; Combination mixer and compressor (shotcrete/gunite); Compressor operator; Deckhand; Fire tender; Forklift (under 20 ft.); Generator; Gunite/shotcrete equipment operator; Hydraulic monitor; Ken seal machine (or similar); Mixermobile; Oiler; Pump operator; Refrigeration plant; Reservoir-debris tug (self-propelled floating); Ross Carrier (construction site); Rotomist operator; Self-propelled tape machine; Shuttlecar; Self-propelled power sweeper operator (includes vacuum sweeper); Slusher operator; Surface heater; Switchperson; Tar pot fire tender; Tugger hoist, single drum; Vacuum cooling plant; Welding machine (powered other than by electricity)

GROUP 8-A: Elevator operator; Skidsteer loader-Bobcat 743 series or smaller, and similar (without attachments); Mini excavator under 25 H.P. (backhoe-trencher); Tub grinder wood chipper

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#### ALL CRANES AND ATTACHMENTS

GROUP 1: Clamshell and dragline over 7 cu. yds.; Crane, over 100 tons; Derrick, over 100 tons; Derrick barge pedestal-mounted, over 100 tons; Self-propelled boom-type lifting device, over 100 tons

GROUP 2: Clamshell and dragline over 1 cu. yd. up to and including 7 cu. yds.; Crane, over 45 tons up to and including 100 tons; Derrick barge, 100 tons and under; Self-propelled boom-type lifting device, over 45 tons; Tower crane

GROUP 3: Clamshell and dragline up to and including 1 cu. yd.; Cranes 45 tons and under; Self-propelled boom-type lifting device 45 tons and under;

GROUP 4: Boom Truck or dual purpose A-frame truck, non-rotating over 15 tons; Truck-mounted rotating telescopic boom type lifting device, Manitex or similar (boom truck) over 15 tons; Truck-mounted rotating telescopic boom type lifting device, Manitex or similar (boom truck) - under 15 tons;

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#### PILEDRIVERS

GROUP 1: Derrick barge pedestal mounted over 100 tons; Clamshell over 7 cu. yds.; Self-propelled boom-type lifting device over 100 tons; Truck crane or crawler, land or barge mounted over 100 tons

GROUP 2: Derrick barge pedestal mounted 45 tons to and including 100 tons; Clamshell up to and including 7 cu. yds.; Self-propelled boom-type lifting device over 45 tons; Truck crane or crawler, land or barge mounted, over 45 tons up to and including 100 tons; Fundex F-12 hydraulic pile rig

GROUP 3: Derrick barge pedestal mounted under 45 tons; Self-

propelled boom-type lifting device 45 tons and under;  
Skid/scow piledriver, any tonnage; Truck crane or crawler,  
land or barge mounted 45 tons and under

GROUP 4: Assistant operator in lieu of assistant to engineer;  
Forklift, 10 tons and over; Heavy-duty repairperson/welder

GROUP 5: Deck engineer

GROUP 6: Deckhand; Fire tender

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#### STEEL ERECTORS

GROUP 1: Crane over 100 tons; Derrick over 100 tons; Self-propelled boom-type lifting device over 100 tons

GROUP 2: Crane over 45 tons to 100 tons; Derrick under 100 tons; Self-propelled boom-type lifting device over 45 tons to 100 tons; Tower crane

GROUP 3: Crane, 45 tons and under; Self-propelled boom-type lifting device, 45 tons and under

GROUP 4: Chicago boom; Forklift, 10 tons and over; Heavy-duty repair person/welder

GROUP 5: Boom cat

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#### TUNNEL AND UNDERGROUND WORK

GROUP 1-A: Tunnel bore machine operator, 20' diameter or more

GROUP 1: Heading shield operator; Heavy-duty repairperson; Mucking machine (rubber tired, rail or track type); Raised bore operator (tunnels); Tunnel mole bore operator

GROUP 2: Combination slusher and motor operator; Concrete pump or pumpcrete gun; Power jumbo operator

GROUP 3: Drill doctor; Mine or shaft hoist

GROUP 4: Combination slurry mixer cleaner; Grouting Machine operator; Motorman

GROUP 5: Bit Sharpener; Brakeman; Combination mixer and compressor (gunitite); Compressor operator; Oiler; Pump operator; Slusher operator

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#### AREA DESCRIPTIONS:

POWER EQUIPMENT OPERATORS, CRANES AND ATTACHMENTS, TUNNEL AND UNDERGROUND [These areas do not apply to Piledrivers and Steel Erectors]

AREA 1: ALAMEDA, BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED,  
NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN,  
SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS,  
SUTTER, YOLO, AND YUBA COUNTIES

AREA 2 - MODOC COUNTY

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS  
NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part

Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part

Area 2: Remainder

DEL NORTE COUNTY:

Area 1: Extreme Southwestern corner

Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part

Area 2: Remainder

FRESNO COUNTY

Area 1: Except Eastern part

Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part

Area 2: Remainder

HUMBOLDT COUNTY:

Area 1: Except Eastern and Southwestern parts

Area 2: Remainder

LAKE COUNTY:

Area 1: Southern part

Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border  
with Shasta County

Area 2: Remainder

MADERA COUNTY

Area 1: Remainder

Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Remainder

Area 2: Eastern part

MENDOCINO COUNTY:

Area 1: Central and Southeastern parts

Area 2: Remainder

MONTEREY COUNTY

Area 1: Remainder

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of  
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Reaminder

TEHAMA COUNTY:

Area 1: All but the Western border with mendocino & Trinity  
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeaster border with  
Shasta County

Area 2: Remainder

TULARE COUNTY;

Area 1: Remainder

Area 2: Eastern part

TUOLUMNE COUNTY:

Area 1: Remainder

Area 2: Eastern Part

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ENGI0003-019 07/01/2013

SEE AREA DESCRIPTIONS BELOW

Rates

Fringes

OPERATOR: Power Equipment

(LANDSCAPE WORK ONLY)

GROUP 1		
AREA 1.....	\$ 29.64	25.71
AREA 2.....	\$ 31.64	25.71
GROUP 2		
AREA 1.....	\$ 26.04	25.71
AREA 2.....	\$ 28.04	25.71
GROUP 3		
AREA 1.....	\$ 21.43	25.71
AREA 2.....	\$ 23.43	25.71

GROUP DESCRIPTIONS:

GROUP 1: Landscape Finish Grade Operator: All finish grade work regardless of equipment used, and all equipment with a rating more than 65 HP.

GROUP 2: Landscape Operator up to 65 HP: All equipment with a manufacturer's rating of 65 HP or less except equipment covered by Group 1 or Group 3. The following equipment shall be included except when used for finish work as long as manufacturer's rating is 65 HP or less: A-Frame and Winch Truck, Backhoe, Forklift, Hydragraphic Seeder Machine, Roller, Rubber-Tired and Track Earthmoving Equipment, Skiploader, Straw Blowers, and Trencher 31 HP up to 65 HP.

GROUP 3: Landscape Utility Operator: Small Rubber-Tired Tractor, Trencher Under 31 HP.

AREA DESCRIPTIONS:

AREA 1: ALAMEDA, BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED, NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS, SUTTER, YOLO, AND YUBA COUNTIES

AREA 2 - MODOC COUNTY

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part  
Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Except Eastern part  
Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part  
Area 2: Remainder

DEL NORTE COUNTY:

Area 1: Extreme Southwestern corner  
Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part  
Area 2: Remainder

FRESNO COUNTY

Area 1: Except Eastern part

Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part

Area 2: Remainder

HUMBOLDT COUNTY:

Area 1: Except Eastern and Southwestern parts

Area 2: Remainder

LAKE COUNTY:

Area 1: Southern part

Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border  
with Shasta County

Area 2: Remainder

MADERA COUNTY

Area 1: Remainder

Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Remainder

Area 2: Eastern part

MENDOCINO COUNTY:

Area 1: Central and Southeastern parts

Area 2: Remainder

MONTEREY COUNTY

Area 1: Remainder

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of  
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Reaminder

TEHAMA COUNTY:

Area 1: All but the Western border with mendocino & Trinity  
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeaster border with  
Shasta County

Area 2: Remainder

TULARE COUNTY;

Area 1: Remainder

Area 2: Eastern part

TUOLUMNE COUNTY:

Area 1: Remainder

Area 2: Eastern Part

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IRON0377-002 07/01/2016

	Rates	Fringes
Ironworkers:		
Fence Erector.....	\$ 28.33	20.64
Ornamental, Reinforcing and Structural.....	\$ 34.75	29.20

PREMIUM PAY:

\$6.00 additional per hour at the following locations:

China Lake Naval Test Station, Chocolate Mountains Naval  
Reserve-Niland,  
Edwards AFB, Fort Irwin Military Station, Fort Irwin Training  
Center-Goldstone, San Clemente Island, San Nicholas Island,  
Susanville Federal Prison, 29 Palms - Marine Corps, U.S. Marine  
Base - Barstow, U.S. Naval Air Facility - Sealey, Vandenberg AFB

\$4.00 additional per hour at the following locations:

Army Defense Language Institute - Monterey, Fallon Air Base,  
Naval Post Graduate School - Monterey, Yermo Marine Corps  
Logistics Center

\$2.00 additional per hour at the following locations:

Port Hueneme, Port Mugu, U.S. Coast Guard Station - Two Rock

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LABO0067-002 06/27/2016

AREA "A" - ALAMEDA, CONTRA COSTA, MARIN, SAN FRANCISCO, SAN  
MATEO AND SANTA CLARA COUNTIES

AREA "B" - ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA, DEL NORTE, EL DORADO, FRESNO, GLENN, HUMBOLDT, KINGS, LAKE, LASSEN, MADERA, MARIPOSA, MENDOCINO, MERCED, MODOC, MONTEREY, NAPA, NEVADA, PLACER, PLUMAS, SACRAMENTO, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, SHASTA, SIERRA, SISKIYOU, SOLANO, SONOMA, STANISLAUS, SUTTER, TEHAMA, TRINITY, TULARE, TUOLUMNE, YOLO AND YUBA COUNTIES

	Rates	Fringes
Asbestos Removal Laborer		
Areas A & B.....	\$ 20.66	10.02
LABORER (Lead Removal)		
Area A.....	\$ 30.00	21.34
Area B.....	\$ 29.00	21.34

ASBESTOS REMOVAL-SCOPE OF WORK: Site mobilization; initial site clean-up; site preparation; removal of asbestos-containing materials from walls and ceilings; or from pipes, boilers and mechanical systems only if they are being scrapped; encapsulation, enclosure and disposal of asbestos-containing materials by hand or with equipment or machinery; scaffolding; fabrication of temporary wooden barriers; and assembly of decontamination stations.

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LABO0067-006 06/30/2014

AREA "A" - ALAMEDA, CONTRA COSTA, MARIN, SAN FRANCISCO, SAN MATEO AND SANTA CLARA COUNTIES

AREA "B" - ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA, EL DORADO, FRESNO, GLENN, KINGS, LASSEN, MADERA, MARIPOSA, MERCED, MODOC, MONTEREY, NAPA, NEVADA, PLACER, PLUMAS, SACRAMENTO, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, SHASTA, SIERRA, SISKIYOU, SOLANO, SONOMA, STANISLAUS, SUTTER, TEHAMA, TRINITY, TULARE, TUOLUMNE, YOLO AND YUBA COUNTIES

	Rates	Fringes
Laborers: (CONSTRUCTION CRAFT		
LABORERS - AREA A:)		
Construction Specialist		
Group.....	\$ 29.09	18.66
GROUP 1.....	\$ 28.39	18.66
GROUP 1-a.....	\$ 28.61	18.66
GROUP 1-c.....	\$ 28.44	18.66
GROUP 1-e.....	\$ 28.94	18.66
GROUP 1-f.....	\$ 28.97	18.66
GROUP 1-g (Contra Costa		
County).....	\$ 28.59	18.66
GROUP 2.....	\$ 28.24	18.66
GROUP 3.....	\$ 28.14	18.66
GROUP 4.....	\$ 21.83	18.66

See groups 1-b and 1-d under laborer classifications.

Laborers: (CONSTRUCTION CRAFT  
LABORERS - AREA B:)  
Construction Specialist



Group.....	\$ 28.09	18.66
GROUP 1.....	\$ 27.39	18.66
GROUP 1-a.....	\$ 27.61	18.66
GROUP 1-c.....	\$ 27.44	18.66
GROUP 1-e.....	\$ 27.94	18.66
GROUP 1-f.....	\$ 27.97	18.66
GROUP 2.....	\$ 27.24	18.66
GROUP 3.....	\$ 27.14	18.66
GROUP 4.....	\$ 20.83	18.66
See groups 1-b and 1-d under laborer classifications.		
Laborers: (GUNITE - AREA A:)		
GROUP 1.....	\$ 29.35	18.66
GROUP 2.....	\$ 28.85	18.66
GROUP 3.....	\$ 28.26	18.66
GROUP 4.....	\$ 28.14	18.66
Laborers: (GUNITE - AREA B:)		
GROUP 1.....	\$ 28.35	18.66
GROUP 2.....	\$ 27.85	18.66
GROUP 3.....	\$ 27.26	18.66
GROUP 4.....	\$ 27.14	18.66
Laborers: (WRECKING - AREA A:)		
GROUP 1.....	\$ 28.39	18.66
GROUP 2.....	\$ 28.24	18.66
Laborers: (WRECKING - AREA B:)		
GROUP 1.....	\$ 27.39	18.66
GROUP 2.....	\$ 27.24	18.66
Landscape Laborer (GARDENERS, HORTICULTURAL & LANDSCAPE LABORERS - AREA A:)		
(1) New Construction.....	\$ 28.14	18.66
(2) Establishment Warranty Period.....	\$ 21.83	18.66
Landscape Laborer (GARDENERS, HORTICULTURAL & LANDSCAPE LABORERS - AREA B:)		
(1) New Construction.....	\$ 27.14	18.66
(2) Establishment Warranty Period.....	\$ 20.83	18.66

#### FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

#### LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in- place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified

hazardous waste worker including Leade Abatement;  
Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and buckler; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$ .25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 1-g, CONTRA COSTA COUNTY: Pipelayer (including grade checking in connection with pipelaying); Caulker; Bander; Pipewrapper; Conduit layer; Plastic pipe layer; Pressure pipe tester; No joint pipe and stripping of same, including repair of voids; Precast manhole setters, cast in place manhole form setters

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

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#### GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

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WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

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LABO0185-002 06/30/2014

ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHAMA, TRINITY, YOLO AND YUBA COUNTIES

	Rates	Fringes
LABORER		
Mason Tender-Brick.....	\$ 31.11	17.34

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LABO0185-005 06/30/2014

ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHAMA, TRINITY, YOLO AND YUBA COUNTIES

	Rates	Fringes
Tunnel and Shaft Laborers:		
GROUP 1.....	\$ 34.60	19.49
GROUP 2.....	\$ 34.37	19.49
GROUP 3.....	\$ 34.12	19.49
GROUP 4.....	\$ 33.67	19.49
GROUP 5.....	\$ 33.13	19.49
Shotcrete Specialist.....	\$ 35.12	19.49

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Guniting and shotcrete nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Guniting & shotcrete gunman & potman; Headermen; High

pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

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LABO0261-002 06/30/2014

MARIN COUNTY

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 28.14	19.03
Traffic Control Person I....	\$ 28.44	19.03
Traffic Control Person II...	\$ 25.94	19.03

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

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LABO0261-004 06/30/2014

MARIN COUNTY

	Rates	Fringes
Tunnel and Shaft Laborers:		
GROUP 1.....	\$ 34.60	19.49
GROUP 2.....	\$ 34.37	19.49
GROUP 3.....	\$ 34.12	19.49
GROUP 4.....	\$ 33.67	19.49
GROUP 5.....	\$ 33.13	19.49
Shotcrete Specialist.....	\$ 35.12	19.49

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunitite and shotcrete nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunitite & shotcrete gunman & potman; Headermen; High

pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

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LABO0261-007 06/30/2014

MARIN COUNTY

	Rates	Fringes
LABORER		
Mason Tender-Brick.....	\$ 32.36	17.34

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LABO0324-004 06/30/2014

NAPA, SOLANO, AND SONOMA, COUNTIES

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 27.14	19.03
Traffic Control Person I....	\$ 27.44	19.03
Traffic Control Person II....	\$ 24.94	19.03

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

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LABO0324-008 06/30/2014

NAPA, SOLANO, AND SONOMA COUNTIES

	Rates	Fringes
Tunnel and Shaft Laborers:		
GROUP 1.....	\$ 34.60	19.49
GROUP 2.....	\$ 34.37	19.49
GROUP 3.....	\$ 34.12	19.49
GROUP 4.....	\$ 33.67	19.49
GROUP 5.....	\$ 33.13	19.49
Shotcrete Specialist.....	\$ 35.12	19.49

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete

nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Guniting & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

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LABO0324-010 06/30/2014

NAPA, SOLANO AND SONOMA COUNTIES

	Rates	Fringes
LABORER (Brick)		
Mason Tender-Brick.....	\$ 31.36	17.34

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LABO1414-005 08/03/2016

	Rates	Fringes
Plasterer tender.....	\$ 34.15	19.28
Work on a swing stage scaffold: \$1.00 per hour additional.		

-----  
PAIN0016-004 01/01/2017

MARIN, NAPA, SOLANO & SONOMA COUNTIES

	Rates	Fringes
Painters:.....	\$ 38.87	22.83

PREMIUMS:

EXOTIC MATERIALS - \$0.75 additional per hour.

SPRAY WORK: - \$0.50 additional per hour.

INDUSTRIAL PAINTING - \$0.25 additional per hour

[Work on industrial buildings used for the manufacture and processing of goods for sale or service; steel construction (bridges), stacks, towers, tanks, and similar structures]

HIGH WORK:

over 50 feet - \$2.00 per hour additional

100 to 180 feet - \$4.00 per hour additional

Over 180 feet - \$6.00 per hour additional

-----  
PAIN0016-005 01/01/2017

ALPINE, BUTTE, COLUSA, EL DORADO (west of the Sierra Nevada Mountains), GLENN, LASSEN (west of Hwy. 395, excluding Honey Lake); MARIN, MODOC, NAPA, NEVADA (west of the Sierra Nevada Mountains), PLACER (west of the Sierra Nevada Mountains), PLUMAS, SACRAMENTO, SHASTA, SIERRA (west of the Sierra Nevada Mountains), SISKIYOU, SOLANO, SONOMA, SUTTER, TEHAMA, TRINITY, YOLO AND YUBA COUNTIES

	Rates	Fringes
DRYWALL FINISHER/TAPER.....	\$ 40.03	24.29

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PAIN0016-007 01/01/2017

ALPINE, AMADOR, BUTTE, COLUSA. EL DORADO (west of the Sierra Nevada Mountains), GLENN, LASSEN (west of Highway 395, excluding Honey Lake), MODOC, NEVADA (west of the Sierra Nevada Mountains), PLACER (west of the Sierra Nevada Mountains), PLUMAS, SACRAMENTO, SHASTA, SIERRA (west of the Sierra Nevada Mountains), SISKIYOU, SUTTER, TEHAMA, TRINITY, YOLO & YUBA COUNTIES

	Rates	Fringes
Painters:.....	\$ 32.16	18.26

SPRAY/SANDBLAST: \$0.50 additional per hour.

EXOTIC MATERIALS: \$1.00 additional per hour.

HIGH TIME: Over 50 ft above ground or water level \$2.00 additional per hour. 100 to 180 ft above ground or water level \$4.00 additional per hour. Over 180 ft above ground or water level \$6.00 additional per hour.

-----  
PAIN0016-008 01/01/2017

MARIN, NAPA, SOLANO AND SONOMA COUNTIES

	Rates	Fringes
SOFT FLOOR LAYER.....	\$ 47.39	24.64

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PAIN0169-004 01/01/2017

MARIN , NAPA & SONOMA COUNTIES; SOLANO COUNTY (west of a line defined as follows: Hwy. 80 corridor beginning at the City of Fairfield, including Travis Air Force Base and Suisun City; going north of Manakas Corner Rd., continue north on Suisun Valley Rd. to the Napa County line; Hwy. 80 corridor south on Grizzly Island Rd. to the Grizzly Island Management area)

	Rates	Fringes
GLAZIER.....	\$ 45.13	26.79



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\* PAIN0567-001 07/01/2014

EL DORADO COUNTY (east of the Sierra Nevada Mountains); LASSEN COUNTY (east of Highway 395, beginning at Stacey and including Honey Lake); NEVADA COUNTY (east of the Sierra Nevada Mountains); PLACER COUNTY (east of the Sierra Nevada Mountains); AND SIERRA COUNTY (east of the Sierra Nevada Mountains)

	Rates	Fringes
Painters:		
Brush and Roller.....	\$ 23.16	10.38
Spray Painter & Paperhanger.	\$ 24.01	10.38

PREMIUMS:

Special Coatings (Brush), and Sandblasting = \$0.50/hr

Special Coatings (Spray), and Steeplejack = \$1.00/hr

Special Coating Spray Steel = \$1.25/hr

Swing Stage = \$2.00/hr

\*A special coating is a coating that requires the mixing of 2 or more products.

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PAIN0567-007 07/01/2016

EL DORADO COUNTY (east of the Sierra Nevada Mountains); LASSEN COUNTY (east of Highway 395, beginning at Stacey and including Honey Lake); NEVADA COUNTY (east of the Sierra Nevada Mountains); PLACER COUNTY (east of the Sierra Nevada Mountains) AND SIERRA COUNTY (east of the Sierra Nevada Mountains)

	Rates	Fringes
SOFT FLOOR LAYER.....	\$ 27.30	11.94

-----  
PAIN0567-010 07/01/2015

EL DORADO COUNTY (east of the Sierra Nevada Mountains); LASSEN COUNTY (east of Highway 395, beginning at Stacey and including Honey Lake); NEVADA COUNTY (east of the Sierra Nevada Mountains); PLACER COUNTY (east of the Sierra Nevada Mountains); AND SIERRA COUNTY (east of the Sierra Nevada Mountains)

	Rates	Fringes
Drywall		
(1) Taper.....	\$ 28.08	12.13
(2) Steeplejack - Taper, over 40 ft with open space below.....	\$ 29.58	12.13

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PAIN0767-004 01/01/2017

ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC,

NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU,  
SOLANO (Remainder), SUTTER, TEHAMA, TRINITY, YOLO, YUBA

	Rates	Fringes
GLAZIER.....	\$ 34.57	25.96

PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr. Day,  
President's Day, Memorial Day, Independence Day, Labor Day,  
Veteran's Day, Thanksgiving Day, and Christmas Day.

Employee required to wear a body harness shall receive \$1.50  
per hour above the basic hourly rate at any elevation.

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PAIN1176-001 07/01/2014

HIGHWAY IMPROVEMENT

	Rates	Fringes
Parking Lot Striping/Highway Marking:		
GROUP 1.....	\$ 34.26	11.65
GROUP 2.....	\$ 29.12	11.65
GROUP 3.....	\$ 29.46	11.65

CLASSIFICATIONS

GROUP 1: Striper: Layout and application of painted traffic  
stripes and marking; hot thermo plastic; tape, traffic  
stripes and markings

GROUP 2: Gamecourt & Playground Installer

GROUP 3: Protective Coating, Pavement Sealing

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PAIN1237-001 01/01/2017

ALPINE; COLUSA; EL DORADO (west of the Sierra Nevada  
Mountains); GLENN; LASSEN (west of Highway 395, beginning at  
Stacey and including Honey Lake); MODOC; NEVADA (west of the  
Sierra Nevada Mountains); PLACER (west of the Sierra Nevada  
Mountains); PLUMAS; SACRAMENTO; SHASTA; SIERRA (west of the  
Sierra Nevada Mountains); SISKIYOU; SUTTER; TEHAMA; TRINITY;  
YOLO AND YUBA COUNTIES

	Rates	Fringes
SOFT FLOOR LAYER.....	\$ 33.93	20.39

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PLAS0300-003 07/01/2014

	Rates	Fringes
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PLASTERER

AREA 295: Alpine, Amador,  
Butte, Colusa, El Dorado,

Glenn, Lassen, Modoc,		
Nevada, Placer, Plumas,		
Sacramento, Shasta,		
Sierra, Siskiyou, Solano,		
Sutter, Tehama, Trinity,		
Yolo & Yuba Counties.....	\$ 31.41	22.26
AREA 355: Marin.....	\$ 34.75	22.26
AREA 355: Napa & Sonoma		
Counties.....	\$ 31.41	22.26

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PLAS0300-005 07/01/2016

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER....	\$ 37.74	19.37

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PLUM0038-002 07/01/2016

MARIN AND SONOMA COUNTIES

	Rates	Fringes
PLUMBER (Plumber, Steamfitter, Refrigeration Fitter)		
(1) Work on wooden frame structures 5 stories or less excluding high-rise buildings and commercial work such as hospitals, prisons, hotels, schools, casinos, wastewater treatment plants, and research facilities as well as refrigeration pipefitting, service and repair work - MARKET RECOVERY RATE.....	\$ 57.80	43.21
(2) All other work - NEW CONSTRUCTION RATE.....	\$ 68.00	45.09

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PLUM0038-006 07/01/2016

MARIN & SONOMA COUNTIES

	Rates	Fringes
Landscape/Irrigation Fitter (Underground/Utility Fitter).....	\$ 57.80	33.46

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PLUM0228-001 01/01/2017

BUTTE, COLUSA, GLENN, LASSEN, MODOC, PLUMAS, SHASTA, SIERRA,  
SISKIYOU, SUTTER, TEHAMA, TRINITY & YUBA COUNTIES

	Rates	Fringes
PLUMBER.....	\$ 38.75	28.89

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PLUM0343-001 07/01/2016

NAPA AND SOLANO COUNTIES

	Rates	Fringes
PLUMBER/PIPEFITTER		
Light Commercial.....	\$ 30.85	20.40
All Other Work.....	\$ 47.50	28.20

DEFINITION OF LIGHT COMMERCIAL:

Work shall include strip shopping centers, office buildings, schools and other commercial structures which the total plumbing bid does not exceed Two Hundred and Fifty Thousand (\$250,000) and the total heating and cooling does not exceed Two Hundred Fifty Thousand (\$250,000); or Any projects bid in phases shall not qualify unless the total project is less than Two Hundred Fifty Thousand (\$250,000) for the plumbing bid; and Two Hundred Fifty Thousand (\$250,000) for the heating and cooling bid. Excluded are hospitals, jails, institutions and industrial projects, regardless size of the project

FOOTNOTES: While fitting galvanized material: \$.75 per hour additional. Work from trusses, temporary staging, unguarded structures 35' from the ground or water: \$.75 per hour additional. Work from swinging scaffolds, boatswains chairs or similar devices: \$.75 per hour additional.

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PLUM0350-001 02/01/2015

EL DORADO COUNTY (Lake Tahoe area only); NEVADA COUNTY (Lake Tahoe area only); AND PLACER COUNTY (Lake Tahoe area only)

	Rates	Fringes
PLUMBER/PIPEFITTER.....	\$ 30.88	11.51

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PLUM0355-001 07/01/2015

ALPINE, AMADOR, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC, NAPA, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SOLANO, SUTTER, TEHAMA, TRINITY, YOLO, AND YUBA COUNTIES

	Rates	Fringes
Underground Utility Worker		
/Landscape Fitter.....	\$ 28.60	10.05

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PLUM0442-003 01/01/2017

AMADOR (South of San Joaquin River) and ALPINE COUNTIES

	Rates	Fringes
PLUMBER.....	\$ 40.00	28.39

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PLUM0447-001 07/01/2016

AMADOR (north of San Joaquin River), EL DORADO (excluding Lake Tahoe area), NEVADA (excluding Lake Tahoe area); PLACER (excluding Lake Tahoe area), SACRAMENTO AND YOLO COUNTIES

	Rates	Fringes
PLUMBER/PIPEFITTER		
Journeyman.....	\$ 47.02	22.85
Light Commercial Work.....	\$ 36.23	17.72
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ROOF0081-006 08/01/2015		

MARIN, NAPA, SOLANO AND SONOMA COUNTIES

	Rates	Fringes
Roofer.....	\$ 36.08	14.90
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ROOF0081-007 08/01/2015		

ALPINE, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHAMA, TRINITY, YOLO, AND YUBA COUNTIES

	Rates	Fringes
Roofer.....	\$ 34.00	14.80
-----		
SFCA0483-003 01/01/2017		

MARIN, NAPA, SOLANO AND SONOMA COUNTIES

	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers).....	\$ 58.72	28.07
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SFCA0669-003 04/01/2016		

ALPINE, BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC, NEVADA, PLACER, PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHAMA, TRINITY, YOLO AND YUBA COUNTIES

	Rates	Fringes
SPRINKLER FITTER.....	\$ 35.71	20.25
-----		
SHEE0104-006 06/27/2016		

MARIN, NAPA, SOLANO SONOMA & TRINITY COUNTIES

	Rates	Fringes
Sheet Metal Worker		
Mechanical Contracts		
\$200,000 or less.....	\$ 48.23	36.45
All other work.....	\$ 54.58	37.08

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SHEE0104-009 07/01/2016

AMADOR, COLUSA, EL DORADO, NEVADA, PLACER, SACRAMENTO, SUTTER,  
YOLO AND YUBA COUNTIES

	Rates	Fringes
SHEET METAL WORKER.....	\$ 40.66	32.13

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SHEE0104-010 07/01/2016

ALPINE COUNTY

	Rates	Fringes
SHEET METAL WORKER.....	\$ 38.12	30.50

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SHEE0104-011 07/01/2015

BUTTE, COLUSA, EL DORADO, GLENN, LASSEN, MODOC, NEVADA, PLACER,  
PLUMAS, SACRAMENTO, SHASTA, SIERRA, SISKIYOU, SUTTER, TEHAMA,  
YOLO AND YUBA COUNTIES

	Rates	Fringes
Sheet Metal Worker (Metal decking and siding only).....	\$ 34.15	32.98

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SHEE0104-014 07/01/2016

MARIN, NAPA, SOLANO, SONOMA AND TRINITY COUNTIES

	Rates	Fringes
SHEET METAL WORKER (Metal Decking and Siding only).....	\$ 35.64	31.49

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SHEE0104-019 07/01/2016

BUTTE, GLENN, LASSEN, MODOC, PLUMAS, SHASTA, SIERRA, SISKIYOU  
AND TEHAMA COUNTIES

	Rates	Fringes
SHEET METAL WORKER Mechanical Jobs \$200,000 & under.....	\$ 30.61	30.25
Mechanical Jobs over \$200,000.....	\$ 40.66	32.13

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TEAM0094-001 07/01/2016

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 29.63	26.66
GROUP 2.....	\$ 29.93	26.66

GROUP 3.....	\$ 30.23	26.66
GROUP 4.....	\$ 30.58	26.66
GROUP 5.....	\$ 30.93	26.66

#### FOOTNOTES:

Articulated dump truck; Bulk cement spreader (with or without auger); Dumpcrete truck; Skid truck (debris box); Dry pre-batch concrete mix trucks; Dumpster or similar type; Slurry truck: Use dump truck yardage rate.  
Heater planer; Asphalt burner; Scarifier burner; Industrial lift truck (mechanical tailgate); Utility and clean-up truck: Use appropriate rate for the power unit or the equipment utilized.

#### TRUCK DRIVER CLASSIFICATIONS

GROUP 1: Dump trucks, under 6 yds.; Single unit flat rack (2-axle unit); Nipper truck (when flat rack truck is used appropriate flat rack shall apply); Concrete pump truck (when flat rack truck is used appropriate flat rack shall apply); Concrete pump machine; Fork lift and lift jitneys; Fuel and/or grease truck driver or fuel person; Snow buggy; Steam cleaning; Bus or personhaul driver; Escort or pilot car driver; Pickup truck; Teamster oiler/greaser and/or serviceperson; Hook tender (including loading and unloading); Team driver; Tool room attendant (refineries)

GROUP 2: Dump trucks, 6 yds. and under 8 yds.; Transit mixers, through 10 yds.; Water trucks, under 7,000 gals.; Jetting trucks, under 7,000 gals.; Single-unit flat rack (3-axle unit); Highbed heavy duty transport; Scissor truck; Rubber-tired muck car (not self-loaded); Rubber-tired truck jumbo; Winch truck and "A" frame drivers; Combination winch truck with hoist; Road oil truck or bootperson; Buggymobile; Ross, Hyster and similar straddle carriers; Small rubber-tired tractor

GROUP 3: Dump trucks, 8 yds. and including 24 yds.; Transit mixers, over 10 yds.; Water trucks, 7,000 gals. and over; Jetting trucks, 7,000 gals. and over; Vacuum trucks under 7500 gals. Trucks towing tilt bed or flat bed pull trailers; Lowbed heavy duty transport; Heavy duty transport tiller person; Self-propelled street sweeper with self-contained refuse bin; Boom truck - hydro-lift or Swedish type extension or retracting crane; P.B. or similar type self-loading truck; Tire repairperson; Combination bootperson and road oiler; Dry distribution truck (A bootperson when employed on such equipment, shall receive the rate specified for the classification of road oil trucks or bootperson); Ammonia nitrate distributor, driver and mixer; Snow Go and/or plow

GROUP 4: Dump trucks, over 25 yds. and under 65 yds.; Water pulls - DW 10's, 20's, 21's and other similar equipment when pulling Aqua/pak or water tank trailers; Helicopter pilots (when transporting men and materials); Lowbed Heavy Duty Transport up to including 7 axles; DW10's, 20's, 21's and other similar Cat type, Terra Cobra, LeTourneau Pulls, Tournorocker, Euclid and similar type equipment when pulling fuel and/or grease tank trailers or other

miscellaneous trailers; Vacuum Trucks 7500 gals and over  
and truck repairman

GROUP 5: Dump trucks, 65 yds. and over; Holland hauler; Low  
bed Heavy Duty Transport over 7 axles

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

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave  
for Federal Contractors applies to all contracts subject to the  
Davis-Bacon Act for which the contract is awarded (and any  
solicitation was issued) on or after January 1, 2017. If this  
contract is covered by the EO, the contractor must provide  
employees with 1 hour of paid sick leave for every 30 hours  
they work, up to 56 hours of paid sick leave each year.  
Employees must be permitted to use paid sick leave for their  
own illness, injury or other health-related needs, including  
preventive care; to assist a family member (or person who is  
like family to the employee) who is ill, injured, or has other  
health-related needs, including preventive care; or for reasons  
resulting from, or to assist a family member (or person who is  
like family to the employee) who is a victim of, domestic  
violence, sexual assault, or stalking. Additional information  
on contractor requirements and worker protections under the EO  
is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

Unlisted classifications needed for work not included within  
the scope of the classifications listed may be added after  
award only as provided in the labor standards contract clauses  
(29CFR 5.5 (a) (1) (ii)).

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The body of each wage determination lists the classification  
and wage rates that have been found to be prevailing for the  
cited type(s) of construction in the area covered by the wage  
determination. The classifications are listed in alphabetical  
order of "identifiers" that indicate whether the particular  
rate is a union rate (current union negotiated rate for local),  
a survey rate (weighted average rate) or a union average rate  
(weighted union average rate).

#### Union Rate Identifiers

A four letter classification abbreviation identifier enclosed  
in dotted lines beginning with characters other than "SU" or  
"UAVG" denotes that the union classification and rate were  
prevailing for that classification in the survey. Example:  
PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of  
the union which prevailed in the survey for this  
classification, which in this example would be Plumbers. 0198  
indicates the local union number or district council number  
where applicable, i.e., Plumbers Local 0198. The next number,  
005 in the example, is an internal number used in processing



the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

#### Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

#### Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests

for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

## **APPENDIX C**

### **PERMITS**

## **APPENDIX C1**

### **TRPA PERMIT**



**TAHOE  
REGIONAL  
PLANNING  
AGENCY**

**Mail**

PO Box 5310  
Stateline, NV 89449-5310

**Location**

128 Market Street  
Stateline, NV 89449

**Contact**

Phone: 775-588-4547  
Fax: 775-588-4527  
[www.trpa.org](http://www.trpa.org)



August 2, 2016

Donaldo Palaroan  
County of El Dorado Community Development Agency  
Transportation Division  
924 B Emerald Bay Road  
South Lake Tahoe, CA 96150

**MEYERS STREAM ENVIRONMENT ZONE RESTORATION AND EROSION CONTROL PROJECT, (EIP # 01.01.01.0025), EL DORADO COUNTY, CALIFORNIA, TRPA PROJECT NUMBER 520-101-00, TRPA FILE NUMBER EIPC2016-0004**

Dear Mr. Palaroan:

Enclosed please find a Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. **TRPA will acknowledge the permit only after all standard and special conditions of approval have been satisfied.**

Please schedule an appointment with me to finalize your project. Please feel free to contact me at (775) 589-5205 or [sfriedman@trpa.org](mailto:sfriedman@trpa.org) if you have any questions regarding this letter or your permit in general.

Sincerely,

Shannon Friedman  
Senior Planner  
Current Planning Division  
/sf

*imagine. plan. achieve.*



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**PERMIT**

**PROJECT DESCRIPTION:** Meyers Stream Environment Zone Restoration and Erosion Control Project  
(EIP # 01.01.01.0025)

**TRPA PROJECT NUMBER:** 520-101-00

**FILE #:** EIPC2016-0004

**PERMITTEE(S):** County of El Dorado Community Development Agency, Transportation Division

**COUNTY/LOCATION:** El Dorado County/Meyers

Having made the findings required by Agency ordinances and rules, TRPA approved the project on August 2, 2016, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on August 2, 2019 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

**NO DEMOLITION, TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:**

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

*Shannon Friedman*

TRPA Executive Director/Designee

Date

*8/2/16*

*imagine. plan. achieve.*

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

---

Signature of Permittee(s) Bard Fowler Date 8/22/16  
-----  
/sf

**TRPA PROJECT NUMBER 520-101-00**  
**FILE NO. EIPC2016-0004**

Security Posted: N/A

Required plans determined to be in conformance with approval: Date: 9/14/16

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date:

Sharon Friedman  
TRPA Executive Director/Designee

9/14/16  
Date

***SPECIAL CONDITIONS***

1. This permit specifically authorizes approximately nine acres of stream environment zone (SEZ) restoration through reconnection of Meyers creek with its floodplain. The project also includes installation of erosion control and water quality improvements to reduce the discharge of pollutants to Lake Tahoe from the El Dorado County right-of-way. All improvements are in the community of Meyers in El Dorado County, California.
2. The standard conditions listed in Attachment Q shall apply to this permit.
3. Prior to permit acknowledgement submit three sets of final construction plans to TRPA.
4. Prior to the pre-grade inspection, submit a construction schedule for TRPA approval.
5. An on-site inspection by TRPA staff is required prior to any construction or grading activity. TRPA staff shall determine if the on-site improvements required by Attachment Q (Standard Conditions of Approval) have been properly installed. No grading or construction shall commence until TRPA pre-grade conditions of approval are met.
6. An EIP project sign shall be designed and submitted to TRPA for approval and shall be consistent with the EIP Region wide standards. TRPA staff is available for design assistance if needed. The sign should include the EIP logo and the back of it should be dark.



**TRPA PROJECT NUMBER 520-101-00**  
**FILE NO. EIPC2016-0004**

7. All above ground facilities, new or currently existing, such as sign posts, the back of signs, electrical boxes, etc. shall be colored brown (Fed. St. 595 or FS 30059), unless an alternative color is approved by TRPA.
8. Temporary Best Management Practices (BMPs) are to be installed and maintained prior to excavation and during all phases of the proposed project.
9. All new and existing conveyance and treatment facilities shall be fitted with temporary Best Management Practices (BMPs) to prevent the transport of sediment during storm events occurring during construction. The permittee shall be responsible for ensuring that all temporary BMPs are constructed as directed by the TRPA Inspector.
10. Any trees to be removed shall be shown on the approved drawings. All other trees within areas of construction not shown to be removed shall be retained and protected from damage during construction. In no case shall any additional trees be removed without the written approval of the TRPA.
11. All construction equipment working in or near Stream Environment Zones (SEZ) areas must be steam cleaned prior to mobilization at the project site and maintained in clean and good working order with maintenance logs made available to TRPA at their request.
12. All excavated materials shall be hauled away from the site to a legally acceptable location. No fills, or re-contouring, other than backfill for the cut-retaining structures, shall be allowed.
13. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.
14. Grading is prohibited any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow, or is in a saturated, muddy, or unstable condition (pursuant to Subsection 64.2.C of the TRPA Code of Ordinances). If a storm event is predicted to occur during active construction, immediately stop work and ensure that all temporary BMPs are in place and functioning.
15. This site shall be winterized in accordance with the provisions of Attachment Q by October 15<sup>th</sup> of each construction season. All disturbed areas shall be stabilized with a 3-inch layer of mulch or covered with an erosion control blanket.

**TRPA PROJECT NUMBER 520-101-00**  
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16. Vegetation shall not be disturbed, injured or removed except in accordance with the TRPA Code or the conditions of project approval. All trees, major roots, and other vegetation, not specifically designated or approved for removal shall be protected according to methods approved by TRPA. All vegetation outside the construction site/project area boundary shall not be disturbed. If possible, construction for any work within the riparian area should be done with hand work to minimize disturbance in the SEZ. All efforts should be made to retain existing vegetation such as grass swales, and willow and alder shrubs.
17. All rock material (gravel, cobble, and boulders) shall be clean prior to arrival at the site to ensure that the rock is free of any excess silt or clay particles.
18. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Region is prohibited. All surplus construction waste materials shall be removed from the project site and disposed of at approved points of disposal.
19. All waste resulting from the saw-cutting of pavement shall be removed using a vacuum (or other TRPA approved method) during the cutting process or immediately thereafter. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.
20. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
21. Any modifications to the TRPA approved plans shall be submitted to TRPA for review and approval.
22. To the maximum extent allowable by law, each party ("Indemnitor") agrees to indemnify, defend, and hold harmless the other party, its governing board, officers, employees and its agents (collectively "Indemnitee") from and against any and all suits, losses, damages, injuries, liabilities, and claims proximately caused by the Indemnitor. To the extent permitted by law, where the foregoing indemnity applies, it includes any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; and (3) the design, installation, or operation of any improvements.



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**MITIGATED FINDING OF NO SIGNIFICANT EFFECT**

PROJECT DESCRIPTION: Meyers Stream Environment Zone Restoration and Erosion Control  
Project (EIP # 01.01.01.0025)

TRPA PROJECT NUMBER: 520-101-00

FILE #: EIPC2016-0004

PERMITTEE(S): County of El Dorado Community Development Agency, Transportation Division

COUNTY/LOCATION: El Dorado County/Meyers

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

Sharon Friedman

TRPA Chairman or Executive Director

8/2/14

Date



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128 Market St.  
Stateline, NV

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trpa@trpa.org  
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HOURS  
Mon. Wed. Thurs. Fri  
9 am-12 pm/1 pm-4 pm  
Closed Tuesday

New Applications Until 3:00  
pm

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## ***ATTACHMENT Q STANDARD CONDITIONS OF APPROVAL FOR GRADING PROJECTS***

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This handout on the standard conditions that must be met in all projects involving grading is divided into the following three sections:

- I. Pre-Grading Conditions (Pre-activity, where applicable)
- II. Construction/Grading Conditions
- III. General Conditions/Design Standards

Please read all of the conditions carefully to avoid any delays in construction of your project.

**NOTE:** Your plans have been reviewed and approved as required under Tahoe Regional Planning Agency (TRPA) Rules, Regulations and Ordinances only. TRPA has not reviewed and shall not be responsible for any elements contained in your plans, i.e., structural, electrical, mechanical, etc., which are not required for review under said Rules, Regulations and Ordinances.

### **I. PRE-GRADING/PRE-ACTIVITY CONDITIONS:**

The following conditions must be completely complied with prior to any site disturbance or commencement of activity.

#### **A. Final Construction Plans:**

Final construction plans must be submitted to and reviewed by TRPA to determine conformance with the approval. Said plans shall clearly depict the following:

1. Slope stabilization methods to stabilize all existing and proposed cut and fill slopes.
2. Areas to be revegetated, including complete specifications for such revegetation.
3. Fencing for vegetation protection.
4. Temporary and permanent erosion control devices.
5. Utility trenches.
6. Dust control measures.
7. All water quality improvements (BMPs) required in the conditional approval. Drainage facilities shall be designed to be capable of retaining runoff water for a two (2) year, six (6) hour storm.
8. The final plans shall contain equipment specifications necessary to establish compliance with Standard Conditions III. A-F.

#### **B. Securities:**

A security shall be posted with the TRPA to insure compliance with all permit conditions. The security shall include an amount equal to 110 percent of the cost of the BMPs and other erosion control and water quality improvements required. For further information on the acceptable types of securities, see Attachment J.

C. Mitigation Fees:

All required air quality, water quality, and excess coverage and offsite coverage mitigation fees shall be paid to TRPA.

D. Temporary BMPs:

The following temporary BMPs are required to be installed onsite prior to any grading activity occurring:

1. Installation of temporary erosion controls.
2. Installation of vegetation protection measures.
3. Installation of construction site boundary fencing.

E. Required Inspection:

An onsite inspection by TRPA staff is required prior to any construction or grading activity occurring. TRPA staff shall determine if the onsite improvements required by Condition II (1), above, have been properly installed. No grading or construction shall be undertaken by the permittee until receipt of TRPA notification that the pre-grading/pre-activity conditions of approval have been satisfied.

F. Required Notices:

The following notices to the TRPA are required prior to any grading or construction occurring on the project site:

1. Notice for Pre-Grading Inspection: The permittee shall notify the TRPA when all onsite improvements required under Condition II(1), above, have been installed so that the required pre-grading inspection may be scheduled.
2. Notice of Commencement of Construction: The permittee shall notify the TRPA at least 48 hours prior to commencement of construction or grading on the project site. Said notice shall include the date when construction will commence.

II. CONSTRUCTION/GRADING CONDITIONS:

The following conditions shall be complied with during the grading and construction phase of the project.

- A. All construction shall be accomplished in strict compliance with the plans approved by TRPA.
- B. The TRPA permit and the final construction drawings bearing the TRPA stamp of approval shall be present on the construction site from the time construction commences to final TRPA site inspection. The permit and plans shall be available for inspection upon request by any TRPA employee. Failure to present the TRPA permit and approved plans may result in the issuance of a Cease and Desist Order by the TRPA.
- C. Whenever possible, utilities shall occupy common trenches to minimize site disturbance.
- D. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, except as follows:
  1. The grading or land disturbance is for excavation and backfilling for a volume not in excess of three cubic yards.
  2. The activity is completed within a 48-hour period.
  3. The excavation site is stabilized to prevent erosion.
  4. The pregrade inspection is performed by TRPA staff, and the activity passes the inspection.

5. The grading/project does not represent or involve a series of excavations, which, when viewed as a whole, would exceed the provisions of this Standard Condition of Approval, and Subsection 2.3 of the TRPA Code of Ordinances.

**Grading is prohibited any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow, or is in a saturated, muddy, or unstable condition (pursuant to Subsection 33.3.1.A of the TRPA Code of Ordinances.)**

- E. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.
- F. Replanting of all exposed surfaces, in accordance with the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance, unless an approved construction/inspection schedule establishes otherwise.
- G. All trees and natural vegetation to remain on the site shall be fenced for protection. Scarring of trees shall be avoided and, if scarred, damaged areas shall be repaired with tree seal.
  1. Fencing specified shall be at least 48 inches high and shall be constructed of metal posts and either orange construction fencing or metal mesh fencing also at least 48 inches high (Section 33.6.1). Job sites with violations of the fencing standards will be required to re-fence the job site with a high gauge metal fencing.
  2. No material or equipment shall enter or be placed in the areas protected by fencing or outside the construction areas without prior approval from TRPA. Fences shall not be moved without prior approval (Section 33.6).
  3. To reduce soil disturbance and damage to vegetation, the area of disturbance during the construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance areas shall not exceed 12 feet from the footprint of the structure, parking area or cut/fill slope. The approved plans should show the fencing and approved exceptions (Section 36.2).
- H. Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this condition exists. The site shall be cleaned up and road right-of-way swept clean when necessary.
- I. During grading and construction, environmental protection devices such as erosion control devices, dust control, and vegetation protection barriers shall be maintained.
- J. Loose soil mounds or surfaces shall be protected from wind or water erosion by being appropriately covered when construction is not in active progress or when required by TRPA.
- K. Excavated material shall be stored upgrate from the excavated areas to the extent possible. No material shall be stored in any stream zone or wet areas.
- L. Only equipment of a size and type that, under prevailing site conditions, and considering the nature of the work to be performed, will do the least amount of damage to the environment shall be used.
- M. Limit idling time for diesel powered vehicles exceeding 10,000 GVW and self-propelled equipment exceeding 25 hp to no more than 15 minutes in Nevada and 5 minutes in California, or as otherwise required by state or local permits.
- N. Utilize existing power sources (e.g. power poles) or clean-fuel generators rather than temporary diesel power generators wherever feasible.
- O. No washing of vehicles or construction equipment, including cement mixers, shall be permitted anywhere on the subject property unless authorized by TRPA in writing.

- P. No vehicles or heavy equipment shall be allowed in any stream environment zone or wet areas, except as authorized by TRPA.
- Q. Locate construction staging areas as far as feasible from sensitive air pollution receptors (e.g. schools or hospitals).
- R. All construction sites shall be winterized by October 15 to reduce the water quality impacts associated with winter weather as follows:
  - 1. For the sites that will be inactive between October 15 and May 1:
    - (a) Temporary erosion controls shall be installed;
    - (b) Temporary vegetation protection fencing shall be installed;
    - (c) Disturbed areas shall be stabilized;
    - (d) Onsite construction slash and debris shall be cleaned up and removed;
    - (e) Where feasible, mechanical stabilization and drainage improvements shall be installed; and
    - (f) Spoil piles shall be removed from the site.
  - 2. For sites that will be active between October 15 and May 1, in addition to the above requirements:
    - (a) Permanent mechanical erosion control devices shall be installed, including paving of driveway and parking areas; and
    - (b) Parking of vehicles and storage of building materials shall be restricted to paved areas.

### III. GENERAL CONDITIONS/DESIGN STANDARDS:

- A. Projects approved by TRPA shall be subject to inspections by TRPA at any reasonable time. The permittee shall be responsible for making the project area accessible for inspection purposes. TRPA shall not be liable for any expense incurred by the permittee as a result of TRPA inspections.
- B. Construction shall be completed in accordance with an approved construction schedule. An extension of a completion schedule for a project may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project, and TRPA makes either of the following findings:
  - 1. The project was diligently pursued, as defined in Subparagraph 2.2.4.C of the Code of Ordinances, during each building season (May 1 - October 15) since commencement of construction.
  - 2. That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters, or weather problems, have prevented diligent pursuit of the project.
- C. Water conservation appliances and fixtures shall be installed in all new facilities or, when replaced, in existing facilities: low flow flush toilets; low flow showerheads (3 gpm rated maximum flow); faucet aerators; and water-efficient appliances (e.g., washing machines and dishwashers).
- D. Water heaters shall not emit nitrogen oxides greater than 40 nanograms of nitrogen oxide (NO<sub>2</sub>) per joule of heat output.
- E. Space heaters shall not emit greater than 40 nanograms of nitrogen oxides (as NO<sub>2</sub>) per joule of useful heat delivered to the heated space.

- F. Wood heaters to be installed in the Region shall meet the safety regulations established by applicable city, county, and state codes. Coal shall not be used as a fuel source.
1. Emission Standards: Wood heaters installed in the Region shall not cause emissions of more than 7.5 grams of particulates per hour for noncatalytic wood heaters or 4.1 grams per hour for catalytically equipped wood heaters.
  2. Limitations: Wood heaters shall be sized appropriately for the space they are designed to serve. Multi-residential projects of five or more units, tourist accommodations, commercial, recreation and public service projects shall be limited to one wood heater per project area.
  3. List of Approved Heaters: TRPA shall maintain a list of wood heaters which may be installed in the Region. The list shall include the brand names, model number, description of the model and the name and address of the manufacturer. Wood heaters certified for use in either Colorado or Oregon shall be considered in compliance with 6(a), above.
- G. Construction materials shall be secured to prevent them from rolling, washing, or blowing off the project site. Rehabilitation and clean-up of the site following construction must include removal of all construction waste and debris.
- H. Plant species on the TRPA Recommended Native and Adapted Plant List shall be used for lawns and landscaping.
- I. The following sizes and spacing shall be required for woody plant materials at time of planting:
1. Trees shall be a minimum six feet tall or 1-1/2 inch caliper size or diameter at breast height;
  2. Shrubs shall be a minimum three gallon pot size where upright shrubs have a minimum height of 18 inches and a minimum spread of 18 inches; and spreading shrubs have a minimum spread of 18-24 inches.
  3. Groundcovers shall be a minimum four inch pot size or one gallon container and shall be maximum 24 inches on center spacing.
- J. Plant species not found on the TRPA Recommended Native and Adapted Plant List may be used for landscaping as accent plantings but shall be limited to borders, entryways, flower-beds, and other similar locations to provide accent to the overall native or adapted landscape design.
- K. The following exterior lighting standards shall apply:
1. Exterior lights shall not blink, flash or change intensity. String lights, building or roofline tube lighting, reflective or luminescent wall surfaces are prohibited.
  2. Exterior lighting shall not be attached to trees except for Christmas season.
  3. Parking lot, walkway, and building lights shall be directed downward.
  4. Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 37 of the Code.
  5. Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.
  6. The commercial operation of searchlights for advertising or any other purpose is prohibited. Seasonal lighting displays and lighting for special events which conflict with other provisions of this section may be permitted on a temporary basis.



- L. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 a.m. and 6:30 p.m.
- M. Engine doors shall remain closed during periods of operation except during necessary engine maintenance.
- N. Stationary equipment (e.g. generators or pumps) shall be located as far as feasible from noise-sensitive receptors and residential areas. Stationary equipment near sensitive noise receptors or residential areas shall be equipped with temporary sound barriers.
- O. Sonic pile driving shall be utilized instead of impact pile driving, wherever feasible. Pile driving holes shall be predrilled to the extent feasible subject to design engineer's approval.
- P. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.
- Q. No trees shall be removed or trimmed without prior TRPA written approval unless otherwise specifically exempted under Chapter 2 of the Code of Ordinances.
- R. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.
- S. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.
- T. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TPRA, shall be incorporated into the project permit at that time.
- U. It is the permittee's obligation to locate all subsurface facilities and/or utilities prior to any grading, dredging or other subsurface activity. The permittee is responsible for contacting the Northern Underground Service Alert (USA, usually known as USA DIGS 1-800-227-2600) prior to commencement of any activity on the site.
- V. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval or take other appropriate action.

**APPENDIX C2**

**U.S. ARMY CORPS OF ENGINEERS**

**NATIONWIDE PERMIT**



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT  
1325 J STREET  
SACRAMENTO CA 95814-2922

March 21, 2017

Regulatory Division (SPK-2016-00443)

El Dorado County, Transportation Division  
Attn: Mr. Donaldo Palaroan  
924 B Emerald Bay Road  
South Lake Tahoe, California 96150

Dear Mr. Palaroan:

We are responding to your January 27, 2017, request for a Department of the Army permit for the Meyers Stream Environmental Zone/ Erosion Control Project (CIP #95179) project. The seven project sites totaling 0.16-acres are located on Meyers Creek and an unnamed tributary between Santa Fe Road and Country Club Drive, Latitude 38.8604°, Longitude - 120.0134°, Meyers, El Dorado County, California.

Based on the information you provided to this office, the Meyers Stream Environmental Zone/Erosion Control Project (CIP #95179) involves the construction and maintenance of stormwater utilities, in accordance with the *Meyers Stream Environmental Zone and Erosion Control Project* plans (enclosure 1). The specific activities that require the discharge of dredged or fill material in waters of the United States are the placement of up to a total of 90-cubic yards of rock slope protection and a total of 30-cubic yards of native soil below the Ordinary High Water Mark of Meyers Creek and an unnamed tributary at seven locations. These activities will result in temporary impacts to approximately 0.16 acres of Meyers Creek and an unnamed ephemeral stream channel.

We have determined activities in waters of the U.S. associated with the project are authorized by Nationwide Permit Number (NWP) 14, *Linear Transportation Projects*. You must comply with all terms and conditions of the NWP and project-specific special conditions. The terms and conditions of NWP 14 can be found in the January 6, 2017, Federal Register notice for the Final 2017 NWPs, which is available at: <http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/>. We have enclosed an excerpt of the Federal Register Notice for your convenience (enclosure 2). In addition, your work must comply with the following special conditions:

1. This authorization is denied without prejudice until water quality certification under Section 401 of the Clean Water Act has been issued or waived for the activities requiring a permit from this office. Once you receive water quality certification or waiver thereof, the activities are authorized and the work may proceed subject to the any conditions of water quality certification, and the terms and conditions of the NWP.

2. Within 30 days after completion of the authorized work, you must sign the enclosed Compliance Certification and return it to this office (enclosure 3).

This verification is valid until March 18, 2022, when the existing NWP's are scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you will have 12 months from the date of the modification, reissuance or revocation to complete the activity under the present terms and conditions. Failure to comply with the general conditions of this NWP, or the project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization.

We would appreciate your feedback on this permit action including your interaction with our staff. At your earliest convenience, please tell us how we are doing by completing the Corps' Regulatory Program national customer service survey found on our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

Please refer to identification number SPK-2016-00443 in any correspondence concerning this project. If you have any questions, please contact me at our Reno Regulatory Field Office, 300 Booth Street, Room 3050, Reno, Nevada 89509-1328, by email at [Aaron.C.Park@usace.army.mil](mailto:Aaron.C.Park@usace.army.mil), or telephone at (775) 784-5305.

Sincerely,



Aaron C. Park  
Project Manager, Nevada-Utah Section  
Regulatory Division

Enclosures

cc: (w/o encls)

Joseph Morgan, USEPA, Wetlands Office, [Morgan.Joseph@epa.gov](mailto:Morgan.Joseph@epa.gov)  
Dale Payne, California Water Quality Control Board, Lahontan Region,  
[DPayne@waterboards.ca.gov](mailto:DPayne@waterboards.ca.gov)  
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after it is published in the **Federal Register**. The NWP's are not a "major rule" as defined by 5 U.S.C. 804(2).

#### *Executive Order 12898*

Executive Order 12898 requires that, to the greatest extent practicable and permitted by law, each federal agency must make achieving environmental justice part of its mission. Executive Order 12898 provides that each federal agency conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under such programs, policies, and activities because of their race, color, or national origin.

The NWP's are not expected to negatively impact any community, and therefore are not expected to cause any disproportionately high and adverse impacts to minority or low-income communities.

#### *Executive Order 13211*

These NWP's are not a "significant energy action" as defined in Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because they are not likely to have a significant adverse effect on the supply, distribution, or use of energy.

#### **Authority**

We are issuing new NWP's, modifying existing NWP's, and reissuing NWP's without change under the authority of Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401 *et seq.*).

Date: December 21, 2016.

**Donald E. Jackson,**  
Major General, U.S. Army, Deputy  
Commanding General for Civil and  
Emergency Operations.

#### **Nationwide Permits, Conditions, Further Information, and Definitions**

*A. Index of Nationwide Permits, Conditions, District Engineer's Decision, Further Information, and Definitions*

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#### B. Nationwide Permits

1. *Aids to Navigation.* The placement of aids to navigation and regulatory markers that are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66).

(Authority: Section 10 of the Rivers and Harbors Act of 1899 (Section 10))

2. *Structures in Artificial Canals.* Structures constructed in artificial canals within principally residential developments where the connection of the canal to a navigable water of the United States has been previously authorized (see 33 CFR 322.5(g)).

(Authority: Section 10)

3. *Maintenance.* (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes

the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

(c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does

not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

*Notification:* For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.

(Authorities: Section 10 of the Rivers and Harbors Act of 1899 and section 404 of the Clean Water Act (Sections 10 and 404))

*Note:* This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance.

4. *Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities.* Fish and wildlife harvesting devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, and clam and oyster digging, fish aggregating devices, and small fish attraction devices such as open water fish concentrators (sea kites, etc.). This NWP does not authorize artificial reefs or impoundments and semi-impoundments of waters of the United States for the culture or holding of motile species such as lobster, or the use of covered oyster trays or clam racks.

(Authorities: Sections 10 and 404)

5. *Scientific Measurement Devices.* Devices, whose purpose is to measure and record scientific data, such as staff gages, tide and current gages, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. Small weirs and flumes constructed primarily to record water quantity and velocity are also authorized provided the discharge is limited to 25 cubic yards. Upon completion of the use of the device to measure and record scientific data, the measuring device and any other structures or fills associated with that device (e.g., foundations, anchors, buoys, lines, etc.) must be removed to the maximum extent practicable and the site restored to pre-construction elevations.

(Authorities: Sections 10 and 404)

6. *Survey Activities.* Survey activities, such as core sampling, seismic exploratory operations, plugging of seismic shot holes and other

exploratory-type bore holes, exploratory trenching, soil surveys, sampling, sample plots or transects for wetland delineations, and historic resources surveys. For the purposes of this NWP, the term "exploratory trenching" means mechanical land clearing of the upper soil profile to expose bedrock or substrate, for the purpose of mapping or sampling the exposed material. The area in which the exploratory trench is dug must be restored to its pre-construction elevation upon completion of the work and must not drain a water of the United States. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. This NWP authorizes the construction of temporary pads, provided the discharge does not exceed 1/10-acre in waters of the U.S. Discharges and structures associated with the recovery of historic resources are not authorized by this NWP. Drilling and the discharge of excavated material from test wells for oil and gas exploration are not authorized by this NWP; the plugging of such wells is authorized. Fill placed for roads and other similar activities is not authorized by this NWP. The NWP does not authorize any permanent structures. The discharge of drilling mud and cuttings may require a permit under section 402 of the Clean Water Act.

(Authorities: Sections 10 and 404)

**7. Outfall Structures and Associated Intake Structures.** Activities related to the construction or modification of outfall structures and associated intake structures, where the effluent from the outfall is authorized, conditionally authorized, or specifically exempted by, or otherwise in compliance with regulations issued under the National Pollutant Discharge Elimination System Program (section 402 of the Clean Water Act). The construction of intake structures is not authorized by this NWP, unless they are directly associated with an authorized outfall structure.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**8. Oil and Gas Structures on the Outer Continental Shelf.** Structures for the exploration, production, and transportation of oil, gas, and minerals on the outer continental shelf within areas leased for such purposes by the Department of the Interior, Bureau of Ocean Energy Management. Such structures shall not be placed within the limits of any designated shipping safety

fairway or traffic separation scheme, except temporary anchors that comply with the fairway regulations in 33 CFR 322.5(l). The district engineer will review such proposals to ensure compliance with the provisions of the fairway regulations in 33 CFR 322.5(l). Any Corps review under this NWP will be limited to the effects on navigation and national security in accordance with 33 CFR 322.5(f), as well as 33 CFR 322.5(l) and 33 CFR part 334. Such structures will not be placed in established danger zones or restricted areas as designated in 33 CFR part 334, nor will such structures be permitted in EPA or Corps-designated dredged material disposal areas.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authority: Section 10)

**9. Structures in Fleeting and Anchorage Areas.** Structures, buoys, floats, and other devices placed within anchorage or fleeting areas to facilitate moorage of vessels where such areas have been established for that purpose.

(Authority: Section 10)

**10. Mooring Buoys.** Non-commercial, single-boat, mooring buoys.

(Authority: Section 10)

**11. Temporary Recreational Structures.** Temporary buoys, markers, small floating docks, and similar structures placed for recreational use during specific events such as water skiing competitions and boat races or seasonal use, provided that such structures are removed within 30 days after use has been discontinued. At Corps of Engineers reservoirs, the reservoir managers must approve each buoy or marker individually.

(Authority: Section 10)

**12. Utility Line Activities.** Activities required for the construction, maintenance, repair, and removal of utility lines and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.

**Utility lines:** This NWP authorizes discharges of dredged or fill material into waters of the United States and structures or work in navigable waters for crossings of those waters associated with the construction, maintenance, or repair of utility lines, including outfall and intake structures. There must be no change in pre-construction contours of waters of the United States. A "utility

line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and internet, radio, and television communication. The term "utility line" does not include activities that drain a water of the United States, such as drainage tile or french drains, but it does apply to pipes conveying drainage from another area.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

**Utility line substations:** This NWP authorizes the construction, maintenance, or expansion of substation facilities associated with a power line or utility line in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters of the United States to construct, maintain, or expand substation facilities.

**Foundations for overhead utility line towers, poles, and anchors:** This NWP authorizes the construction or maintenance of foundations for overhead utility line towers, poles, and anchors in all waters of the United States, provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible.

**Access roads:** This NWP authorizes the construction of access roads for the construction and maintenance of utility lines, including overhead power lines and utility line substations, in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not cause the



loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize utility lines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (See 33 CFR part 322). Overhead utility lines constructed over section 10 waters and utility lines that are routed in or under section 10 waters without a discharge of dredged or fill material require a section 10 permit.

This NWP authorizes, to the extent that Department of the Army authorization is required, temporary structures, fills, and work necessary for the remediation of inadvertent returns of drilling fluids to waters of the United States through sub-soil fissures or fractures that might occur during horizontal directional drilling activities conducted for the purpose of installing or replacing utility lines. These remediation activities must be done as soon as practicable, to restore the affected waterbody. District engineers may add special conditions to this NWP to require a remediation plan for addressing inadvertent returns of drilling fluids to waters of the United States during horizontal directional drilling activities conducted for the purpose of installing or replacing utility lines.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the utility line activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas

affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if any of the following criteria are met: (1) The activity involves mechanized land clearing in a forested wetland for the utility line right-of-way; (2) a section 10 permit is required; (3) the utility line in waters of the United States, excluding overhead lines, exceeds 500 feet; (4) the utility line is placed within a jurisdictional area (i.e., water of the United States), and it runs parallel to or along a stream bed that is within that jurisdictional area; (5) discharges that result in the loss of greater than 1/10-acre of waters of the United States; (6) permanent access roads are constructed above grade in waters of the United States for a distance of more than 500 feet; or (7) permanent access roads are constructed in waters of the United States with impervious materials. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note 1:** Where the utility line is constructed or installed in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, a copy of the NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the utility line to protect navigation.

**Note 2:** For utility line activities crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Utility line activities must comply with 33 CFR 330.6(d).

**Note 3:** Utility lines consisting of aerial electric power transmission lines crossing navigable waters of the United States (which are defined at 33 CFR part 329) must comply with the applicable minimum clearances specified in 33 CFR 322.5(i).

**Note 4:** Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the utility line must be removed upon completion of the work, in accordance with the requirements for temporary fills.

**Note 5:** Pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the United States are considered to be bridges, not utility lines, and may require a permit from the U.S. Coast Guard pursuant to section 9 of the Rivers and Harbors Act of 1899. However, any discharges of dredged or fill material into waters of the United States

associated with such pipelines will require a section 404 permit (see NWP 15).

**Note 6:** This NWP authorizes utility line maintenance and repair activities that do not qualify for the Clean Water Act section 404(f) exemption for maintenance of currently serviceable fills or fill structures.

**Note 7:** For overhead utility lines authorized by this NWP, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

**Note 8:** For NWP 12 activities that require pre-construction notification, the PCN must include 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, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

**13. Bank Stabilization.** Bank stabilization activities necessary for erosion control or prevention, such as vegetative stabilization, bioengineering, sills, rip rap, revetment, gabion baskets, stream barbs, and bulkheads, or combinations of bank stabilization techniques, provided the activity meets all of the following criteria:

(a) No material is placed in excess of the minimum needed for erosion protection;

(b) The activity is no more than 500 feet in length along the bank, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects (an exception is for bulkheads—the district engineer cannot issue a waiver for a bulkhead that is greater than 1,000 feet in length along the bank);

(c) The activity will not exceed an average of one cubic yard per running foot, as measured along the length of the treated bank, below the plane of the ordinary high water mark or the high tide line, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects;

(d) The activity does not involve discharges of dredged or fill material into special aquatic sites, unless the district engineer waives this criterion by



making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects;

(e) No material is of a type, or is placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the United States;

(f) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored native trees and treetops may be used in low energy areas);

(g) Native plants appropriate for current site conditions, including salinity, must be used for bioengineering or vegetative bank stabilization;

(h) The activity is not a stream channelization activity; and

(i) The activity must be properly maintained, which may require repairing it after severe storms or erosion events. This NWP authorizes those maintenance and repair activities if they require authorization.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the bank stabilization activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the bank stabilization activity: (1) Involves discharges into special aquatic sites; or (2) is in excess of 500 feet in length; or (3) will involve the discharge of greater than an average of one cubic yard per running foot as measured along the length of the treated bank, below the plane of the ordinary high water mark or the high tide line. (See general condition 32.)

(Authorities: Sections 10 and 404)

#### 14. *Linear Transportation Projects.*

Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear

transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note 1:** For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

**Note 2:** Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under section 404(f) of the Clean Water Act (see 33 CFR 323.4).

**Note 3:** For NWP 14 activities that require pre-construction notification, the PCN must include 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, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

15. *U.S. Coast Guard Approved Bridges.* Discharges of dredged or fill material incidental to the construction of a bridge across navigable waters of the United States, including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills, provided the construction of the bridge structure has been authorized by the U.S. Coast Guard under section 9 of the Rivers and Harbors Act of 1899 or other applicable laws. Causeways and approach fills are not included in this NWP and will require a separate section 404 permit.

(Authority: Section 404 of the Clean Water Act (Section 404))

16. *Return Water From Upland Contained Disposal Areas.* Return water from an upland contained dredged material disposal area. The return water from a contained disposal area is administratively defined as a discharge of dredged material by 33 CFR 323.2(d), even though the disposal itself occurs in an area that has no waters of the United States and does not require a section 404 permit. This NWP satisfies the technical requirement for a section 404 permit for the return water where the quality of the return water is controlled by the state through the section 401 certification procedures. The dredging activity may require a section 404 permit (33 CFR 323.2(d)), and will require a section 10 permit if located in navigable waters of the United States.

(Authority: Section 404)

17. *Hydropower Projects.* Discharges of dredged or fill material associated with hydropower projects having: (a) Less than 5000 kW of total generating capacity at existing reservoirs, where the project, including the fill, is licensed by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act of 1920, as amended; or (b) a licensing exemption granted by the FERC pursuant to section 408 of the Energy Security Act of 1980 (16 U.S.C.

2705 and 2708) and section 30 of the Federal Power Act, as amended.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authority: Section 404)

18. *Minor Discharges.* Minor discharges of dredged or fill material into all waters of the United States, provided the activity meets all of the following criteria:

(a) The quantity of discharged material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line;

(b) The discharge will not cause the loss of more than  $\frac{1}{10}$ -acre of waters of the United States; and

(c) The discharge is not placed for the purpose of a stream diversion.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The discharge or the volume of area excavated exceeds 10 cubic yards below the plane of the ordinary high water mark or the high tide line, or (2) the discharge is in a special aquatic site, including wetlands. (See general condition 32.)

(Authorities: Sections 10 and 404)

19. *Minor Dredging.* Dredging of no more than 25 cubic yards below the plane of the ordinary high water mark or the mean high water mark from navigable waters of the United States (*i.e.*, section 10 waters). This NWP does not authorize the dredging or degradation through siltation of coral reefs, sites that support submerged aquatic vegetation (including sites where submerged aquatic vegetation is documented to exist but may not be present in a given year), anadromous fish spawning areas, or wetlands, or the connection of canals or other artificial waterways to navigable waters of the United States (see 33 CFR 322.5(g)). All dredged material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

(Authorities: Sections 10 and 404)

20. *Response Operations for Oil or Hazardous Substances.* Activities conducted in response to a discharge or release of oil or hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300) including containment, cleanup, and mitigation efforts, provided that the

activities are done under either: (1) The Spill Control and Countermeasure Plan required by 40 CFR 112.3; (2) the direction or oversight of the federal on-scene coordinator designated by 40 CFR part 300; or (3) any approved existing state, regional or local contingency plan provided that the Regional Response Team (if one exists in the area) concurs with the proposed response efforts. This NWP also authorizes activities required for the cleanup of oil releases in waters of the United States from electrical equipment that are governed by EPA's polychlorinated biphenyl spill response regulations at 40 CFR part 761. This NWP also authorizes the use of temporary structures and fills in waters of the U.S. for spill response training exercises.

(Authorities: Sections 10 and 404)

21. *Surface Coal Mining Activities.* Discharges of dredged or fill material into waters of the United States associated with surface coal mining and reclamation operations, provided the following criteria are met:

(a) The activities are already authorized, or are currently being processed by states with approved programs under Title V of the Surface Mining Control and Reclamation Act of 1977 or as part of an integrated permit processing procedure by the Department of the Interior, Office of Surface Mining Reclamation and Enforcement;

(b) The discharge must not cause the loss of greater than  $\frac{1}{2}$ -acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal individual and cumulative adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed  $\frac{1}{2}$ -acre. This NWP does not authorize discharges into tidal waters or non-tidal wetlands adjacent to tidal waters; and

(c) The discharge is not associated with the construction of valley fills. A "valley fill" is a fill structure that is typically constructed within valleys associated with steep, mountainous terrain, associated with surface coal mining activities.

**Notification:** The permittee must submit a pre-construction notification to the district engineer and receive written authorization prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

22. *Removal of Vessels.* Temporary structures or minor discharges of dredged or fill material required for the removal of wrecked, abandoned, or disabled vessels, or the removal of man-made obstructions to navigation. This NWP does not authorize maintenance dredging, shoal removal, or riverbank snagging.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The vessel is listed or eligible for listing in the National Register of Historic Places; or (2) the activity is conducted in a special aquatic site, including coral reefs and wetlands. (See general condition 32.) If condition 1 above is triggered, the permittee cannot commence the activity until informed by the district engineer that compliance with the "Historic Properties" general condition is completed.

(Authorities: Sections 10 and 404)

**Note 1:** If a removed vessel is disposed of in waters of the United States, a permit from the U.S. EPA may be required (see 40 CFR 229.3). If a Department of the Army permit is required for vessel disposal in waters of the United States, separate authorization will be required.

**Note 2:** Compliance with general condition 18, Endangered Species, and general condition 20, Historic Properties, is required for all NWPs. The concern with historic properties is emphasized in the notification requirements for this NWP because of the possibility that shipwrecks may be historic properties.

23. *Approved Categorical Exclusions.* Activities undertaken, assisted, authorized, regulated, funded, or financed, in whole or in part, by another Federal agency or department where:

(a) That agency or department has determined, pursuant to the Council on Environmental Quality's implementing regulations for the National Environmental Policy Act (40 CFR part 1500 *et seq.*), that the activity is categorically excluded from the requirement to prepare an environmental impact statement or environmental assessment analysis, because it is included within a category of actions which neither individually nor cumulatively have a significant effect on the human environment; and

(b) The Office of the Chief of Engineers (Attn: CECW-CO) has concurred with that agency's or department's determination that the activity is categorically excluded and approved the activity for authorization under NWP 23.

The Office of the Chief of Engineers may require additional conditions,



including pre-construction notification, for authorization of an agency's categorical exclusions under this NWP.

**Notification:** Certain categorical exclusions approved for authorization under this NWP require the permittee to submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The activities that require pre-construction notification are listed in the appropriate Regulatory Guidance Letters.

(Authorities: Sections 10 and 404)

**Note:** The agency or department may submit an application for an activity believed to be categorically excluded to the Office of the Chief of Engineers (Attn: CECW-CO). Prior to approval for authorization under this NWP of any agency's activity, the Office of the Chief of Engineers will solicit public comment. As of the date of issuance of this NWP, agencies with approved categorical exclusions are: the Bureau of Reclamation, Federal Highway Administration, and U.S. Coast Guard. Activities approved for authorization under this NWP as of the date of this notice are found in Corps Regulatory Guidance Letter 05-07, which is available at: <http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl05-07.pdf>. Any future approved categorical exclusions will be announced in Regulatory Guidance Letters and posted on this same Web site.

**24. Indian Tribe or State Administered Section 404 Programs.** Any activity permitted by a state or Indian Tribe administering its own section 404 permit program pursuant to 33 U.S.C. 1344(g)-(l) is permitted pursuant to section 10 of the Rivers and Harbors Act of 1899.

(Authority: Section 10)

**Note 1:** As of the date of the promulgation of this NWP, only New Jersey and Michigan administer their own section 404 permit programs.

**Note 2:** Those activities that do not involve an Indian Tribe or State section 404 permit are not included in this NWP, but certain structures will be exempted by Section 154 of Public Law 94-587, 90 Stat. 2917 (33 U.S.C. 591) (see 33 CFR 322.4(b)).

**25. Structural Discharges.** Discharges of material such as concrete, sand, rock, etc., into tightly sealed forms or cells where the material will be used as a structural member for standard pile supported structures, such as bridges, transmission line footings, and walkways, or for general navigation, such as mooring cells, including the excavation of bottom material from within the form prior to the discharge of concrete, sand, rock, etc. This NWP does not authorize filled structural members that would support buildings, building pads, homes, house pads, parking areas, storage areas and other

such structures. The structure itself may require a separate section 10 permit if located in navigable waters of the United States.

(Authority: Section 404)

26. [Reserved]

**27. Aquatic Habitat Restoration, Enhancement, and Establishment Activities.** Activities in waters of the United States associated with the restoration, enhancement, and establishment of tidal and non-tidal wetlands and riparian areas, the restoration and enhancement of non-tidal streams and other non-tidal open waters, and the rehabilitation or enhancement of tidal streams, tidal wetlands, and tidal open waters, provided those activities result in net increases in aquatic resource functions and services.

To be authorized by this NWP, the aquatic habitat restoration, enhancement, or establishment activity must be planned, designed, and implemented so that it results in aquatic habitat that resembles an ecological reference. An ecological reference may be based on the characteristics of an intact aquatic habitat or riparian area of the same type that exists in the region. An ecological reference may be based on a conceptual model developed from regional ecological knowledge of the target aquatic habitat type or riparian area.

To the extent that a Corps permit is required, activities authorized by this NWP include, but are not limited to: The removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms, as well as discharges of dredged or fill material to restore appropriate stream channel configurations after small water control structures, dikes, and berms, are removed; the installation of current deflectors; the enhancement, rehabilitation, or re-establishment of riffle and pool stream structure; the placement of in-stream habitat structures; modifications of the stream bed and/or banks to enhance, rehabilitate, or re-establish stream meanders; the removal of stream barriers, such as undersized culverts, fords, and grade control structures; the backfilling of artificial channels; the removal of existing drainage structures, such as drain tiles, and the filling, blocking, or reshaping of drainage ditches to restore wetland hydrology; the installation of structures or fills necessary to restore or enhance wetland or stream hydrology; the construction of small nesting islands; the construction of open water areas; the construction of

oyster habitat over unvegetated bottom in tidal waters; shellfish seeding; activities needed to reestablish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; re-establishment of submerged aquatic vegetation in areas where those plant communities previously existed; re-establishment of tidal wetlands in tidal waters where those wetlands previously existed; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and other related activities. Only native plant species should be planted at the site.

This NWP authorizes the relocation of non-tidal waters, including non-tidal wetlands and streams, on the project site provided there are net increases in aquatic resource functions and services.

Except for the relocation of non-tidal waters on the project site, this NWP does not authorize the conversion of a stream or natural wetlands to another aquatic habitat type (e.g., the conversion of a stream to wetland or vice versa) or uplands. Changes in wetland plant communities that occur when wetland hydrology is more fully restored during wetland rehabilitation activities are not considered a conversion to another aquatic habitat type. This NWP does not authorize stream channelization. This NWP does not authorize the relocation of tidal waters or the conversion of tidal waters, including tidal wetlands, to other aquatic uses, such as the conversion of tidal wetlands into open water impoundments.

Compensatory mitigation is not required for activities authorized by this NWP since these activities must result in net increases in aquatic resource functions and services.

**Reversion.** For enhancement, restoration, and establishment activities conducted: (1) In accordance with the terms and conditions of a binding stream or wetland enhancement or restoration agreement, or a wetland establishment agreement, between the landowner and the U.S. Fish and Wildlife Service (FWS), the Natural Resources Conservation Service (NRCS), the Farm Service Agency (FSA), the National Marine Fisheries Service (NMFS), the National Ocean Service (NOS), U.S. Forest Service (USFS), or their designated state cooperating agencies; (2) as voluntary wetland restoration, enhancement, and establishment actions documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or (3) on reclaimed surface coal mine lands, in accordance with a Surface Mining Control and Reclamation Act permit

issued by the Office of Surface Mining Reclamation and Enforcement (OSMRE) or the applicable state agency, this NWP also authorizes any future discharge of dredged or fill material associated with the reversion of the area to its documented prior condition and use (*i.e.*, prior to the restoration, enhancement, or establishment activities). The reversion must occur within five years after expiration of a limited term wetland restoration or establishment agreement or permit, and is authorized in these circumstances even if the discharge occurs after this NWP expires. The five-year reversion limit does not apply to agreements without time limits reached between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS, or an appropriate state cooperating agency. This NWP also authorizes discharges of dredged or fill material in waters of the United States for the reversion of wetlands that were restored, enhanced, or established on prior-converted cropland or on uplands, in accordance with a binding agreement between the landowner and NRCS, FSA, FWS, or their designated state cooperating agencies (even though the restoration, enhancement, or establishment activity did not require a section 404 permit). The prior condition will be documented in the original agreement or permit, and the determination of return to prior conditions will be made by the Federal agency or appropriate state agency executing the agreement or permit. Before conducting any reversion activity the permittee or the appropriate Federal or state agency must notify the district engineer and include the documentation of the prior condition. Once an area has reverted to its prior physical condition, it will be subject to whatever the Corps Regulatory requirements are applicable to that type of land at the time. The requirement that the activity results in a net increase in aquatic resource functions and services does not apply to reversion activities meeting the above conditions. Except for the activities described above, this NWP does not authorize any future discharge of dredged or fill material associated with the reversion of the area to its prior condition. In such cases a separate permit would be required for any reversion.

**Reporting.** For those activities that do not require pre-construction notification, the permittee must submit to the district engineer a copy of: (1) The binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement, or a project

description, including project plans and location map; (2) the NRCS or USDA Technical Service Provider documentation for the voluntary stream enhancement or restoration action or wetland restoration, enhancement, or establishment action; or (3) the SMCRA permit issued by OSMRE or the applicable state agency. The report must also include information on baseline ecological conditions on the project site, such as a delineation of wetlands, streams, and/or other aquatic habitats. These documents must be submitted to the district engineer at least 30 days prior to commencing activities in waters of the United States authorized by this NWP.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing any activity (see general condition 32), except for the following activities:

(1) Activities conducted on non-Federal public lands and private lands, in accordance with the terms and conditions of a binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS or their designated state cooperating agencies;

(2) Voluntary stream or wetland restoration or enhancement action, or wetland establishment action, documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or

(3) The reclamation of surface coal mine lands, in accordance with an SMCRA permit issued by the OSMRE or the applicable state agency.

However, the permittee must submit a copy of the appropriate documentation to the district engineer to fulfill the reporting requirement.

(Authorities: Sections 10 and 404)

**Note:** This NWP can be used to authorize compensatory mitigation projects, including mitigation banks and in-lieu fee projects. However, this NWP does not authorize the reversion of an area used for a compensatory mitigation project to its prior condition, since compensatory mitigation is generally intended to be permanent.

**28. Modifications of Existing Marinas.** Reconfiguration of existing docking facilities within an authorized marina area. No dredging, additional slips, dock spaces, or expansion of any kind within waters of the United States is authorized by this NWP.

(Authority: Section 10)

**29. Residential Developments.** Discharges of dredged or fill material

into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed 1/2-acre.

**Subdivisions:** For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**30. Moist Soil Management for Wildlife.** Discharges of dredged or fill material into non-tidal waters of the United States and maintenance activities that are associated with moist soil management for wildlife for the purpose of continuing ongoing, site-specific, wildlife management activities where soil manipulation is used to manage habitat and feeding areas for wildlife. Such activities include, but are not limited to, plowing or discing to impede succession, preparing seed beds, or establishing fire breaks. Sufficient riparian areas must be maintained adjacent to all open water bodies, including streams, to preclude water quality degradation due to erosion and

sedimentation. This NWP does not authorize the construction of new dikes, roads, water control structures, or similar features associated with the management areas. The activity must not result in a net loss of aquatic resource functions and services. This NWP does not authorize the conversion of wetlands to uplands, impoundments, or other open water bodies.

(Authority: Section 404)

**Note:** The repair, maintenance, or replacement of existing water control structures or the repair or maintenance of dikes may be authorized by NWP 3. Some such activities may qualify for an exemption under section 404(f) of the Clean Water Act (see 33 CFR 323.4).

**31. Maintenance of Existing Flood Control Facilities.** Discharges of dredged or fill material resulting from activities associated with the maintenance of existing flood control facilities, including debris basins, retention/detention basins, levees, and channels that: (i) Were previously authorized by the Corps by individual permit, general permit, or 33 CFR 330.3, or did not require a permit at the time they were constructed, or (ii) were constructed by the Corps and transferred to a non-Federal sponsor for operation and maintenance. Activities authorized by this NWP are limited to those resulting from maintenance activities that are conducted within the "maintenance baseline," as described in the definition below. Discharges of dredged or fill materials associated with maintenance activities in flood control facilities in any watercourse that have previously been determined to be within the maintenance baseline are authorized under this NWP. To the extent that a Corps permit is required, this NWP authorizes the removal of vegetation from levees associated with the flood control project. This NWP does not authorize the removal of sediment and associated vegetation from natural water courses except when these activities have been included in the maintenance baseline. All dredged and excavated material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. Proper sediment controls must be used.

**Maintenance Baseline:** The maintenance baseline is a description of the physical characteristics (e.g., depth, width, length, location, configuration, or design flood capacity, etc.) of a flood control project within which maintenance activities are normally authorized by NWP 31, subject to any case-specific conditions required by the

district engineer. The district engineer will approve the maintenance baseline based on the approved or constructed capacity of the flood control facility, whichever is smaller, including any areas where there are no constructed channels but which are part of the facility. The prospective permittee will provide documentation of the physical characteristics of the flood control facility (which will normally consist of as-built or approved drawings) and documentation of the approved and constructed design capacities of the flood control facility. If no evidence of the constructed capacity exists, the approved capacity will be used. The documentation will also include best management practices to ensure that the adverse environmental impacts caused by the maintenance activities are no more than minimal, especially in maintenance areas where there are no constructed channels. (The Corps may request maintenance records in areas where there has not been recent maintenance.) Revocation or modification of the final determination of the maintenance baseline can only be done in accordance with 33 CFR 330.5. Except in emergencies as described below, this NWP cannot be used until the district engineer approves the maintenance baseline and determines the need for mitigation and any regional or activity-specific conditions. Once determined, the maintenance baseline will remain valid for any subsequent reissuance of this NWP. This NWP does not authorize maintenance of a flood control facility that has been abandoned. A flood control facility will be considered abandoned if it has operated at a significantly reduced capacity without needed maintenance being accomplished in a timely manner. A flood control facility will not be considered abandoned if the prospective permittee is in the process of obtaining other authorizations or approvals required for maintenance activities and is experiencing delays in obtaining those authorizations or approvals.

**Mitigation:** The district engineer will determine any required mitigation one-time only for impacts associated with maintenance work at the same time that the maintenance baseline is approved. Such one-time mitigation will be required when necessary to ensure that adverse environmental effects are no more than minimal, both individually and cumulatively. Such mitigation will only be required once for any specific reach of a flood control project. However, if one-time mitigation is required for impacts associated with maintenance activities, the district

engineer will not delay needed maintenance, provided the district engineer and the permittee establish a schedule for identification, approval, development, construction and completion of any such required mitigation. Once the one-time mitigation described above has been completed, or a determination made that mitigation is not required, no further mitigation will be required for maintenance activities within the maintenance baseline (see Note, below). In determining appropriate mitigation, the district engineer will give special consideration to natural water courses that have been included in the maintenance baseline and require mitigation and/or best management practices as appropriate.

**Emergency Situations:** In emergency situations, this NWP may be used to authorize maintenance activities in flood control facilities for which no maintenance baseline has been approved. Emergency situations are those which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if action is not taken before a maintenance baseline can be approved. In such situations, the determination of mitigation requirements, if any, may be deferred until the emergency has been resolved. Once the emergency has ended, a maintenance baseline must be established expeditiously, and mitigation, including mitigation for maintenance conducted during the emergency, must be required as appropriate.

**Notification:** The permittee must submit a pre-construction notification to the district engineer before any maintenance work is conducted (see general condition 32). The pre-construction notification may be for activity-specific maintenance or for maintenance of the entire flood control facility by submitting a five-year (or less) maintenance plan. The pre-construction notification must include a description of the maintenance baseline and the disposal site for dredged or excavated material.

(Authorities: Sections 10 and 404)

**Note:** If the maintenance baseline was approved by the district engineer under a prior version of NWP 31, and the district engineer imposed the one-time compensatory mitigation requirement on maintenance for a specific reach of a flood control project authorized by that prior version of NWP 31, during the period this version of NWP 31 is in effect (March 19, 2017, to March 18, 2022) the district engineer will not require additional compensatory mitigation for maintenance activities authorized by this

NWP in that specific reach of the flood control project.

**32. Completed Enforcement Actions.** Any structure, work, or discharge of dredged or fill material remaining in place or undertaken for mitigation, restoration, or environmental benefit in compliance with either:

(i) The terms of a final written Corps non-judicial settlement agreement resolving a violation of Section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899; or the terms of an EPA 309(a) order on consent resolving a violation of section 404 of the Clean Water Act, provided that:

(a) The activities authorized by this NWP cannot adversely affect more than 5 acres of non-tidal waters or 1 acre of tidal waters;

(b) The settlement agreement provides for environmental benefits, to an equal or greater degree, than the environmental detriments caused by the unauthorized activity that is authorized by this NWP; and

(c) The district engineer issues a verification letter authorizing the activity subject to the terms and conditions of this NWP and the settlement agreement, including a specified completion date; or

(ii) The terms of a final Federal court decision, consent decree, or settlement agreement resulting from an enforcement action brought by the United States under section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899; or

(iii) The terms of a final court decision, consent decree, settlement agreement, or non-judicial settlement agreement resulting from a natural resource damage claim brought by a trustee or trustees for natural resources (as defined by the National Contingency Plan at 40 CFR subpart G) under Section 311 of the Clean Water Act, Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, Section 312 of the National Marine Sanctuaries Act, section 1002 of the Oil Pollution Act of 1990, or the Park System Resource Protection Act at 16 U.S.C. 191j, to the extent that a Corps permit is required.

Compliance is a condition of the NWP itself; non-compliance of the terms and conditions of an NWP 32 authorization may result in an additional enforcement action (e.g., a Class I civil administrative penalty). Any authorization under this NWP is automatically revoked if the permittee does not comply with the terms of this NWP or the terms of the court decision, consent decree, or judicial/non-judicial settlement

agreement. This NWP does not apply to any activities occurring after the date of the decision, decree, or agreement that are not for the purpose of mitigation, restoration, or environmental benefit. Before reaching any settlement agreement, the Corps will ensure compliance with the provisions of 33 CFR part 326 and 33 CFR 330.6(d)(2) and (e).

(Authorities: Sections 10 and 404)

**33. Temporary Construction, Access, and Dewatering.** 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 environmental effects. Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, 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 separate section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.)

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the activity is conducted in navigable waters of the United States (i.e., section 10 waters) (see general condition 32). 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.

(Authorities: Sections 10 and 404)

**34. Cranberry Production Activities.** Discharges of dredged or fill material for dikes, berms, pumps, water control

structures or leveling of cranberry beds associated with expansion, enhancement, or modification activities at existing cranberry production operations. The cumulative total acreage of disturbance per cranberry production operation, including but not limited to, filling, flooding, ditching, or clearing, must not exceed 10 acres of waters of the United States, including wetlands. The activity must not result in a net loss of wetland acreage. This NWP does not authorize any discharge of dredged or fill material related to other cranberry production activities such as warehouses, processing facilities, or parking areas. For the purposes of this NWP, the cumulative total of 10 acres will be measured over the period that this NWP is valid.

**Notification:** The permittee must submit a pre-construction notification to the district engineer once during the period that this NWP is valid, and the NWP will then authorize discharges of dredge or fill material at an existing operation for the permit term, provided the 10-acre limit is not exceeded. (See general condition 32.)

(Authority: Section 404)

**35. Maintenance Dredging of Existing Basins.** The removal of accumulated sediment for maintenance of existing marina basins, access channels to marinas or boat slips, and boat slips to previously authorized depths or controlling depths for ingress/egress, whichever is less. All dredged material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. Proper sediment controls must be used for the disposal site.

(Authority: Section 10)

**36. Boat Ramps.** Activities required for the construction of boat ramps, provided the activity meets all of the following criteria:

(a) The discharge into waters of the United States does not exceed 50 cubic yards of concrete, rock, crushed stone or gravel into forms, or in the form of pre-cast concrete planks or slabs, unless the district engineer waives the 50 cubic yard limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects;

(b) The boat ramp does not exceed 20 feet in width, unless the district engineer waives this criterion by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects;

(c) The base material is crushed stone, gravel or other suitable material;

(d) The excavation is limited to the area necessary for site preparation and all excavated material is removed to an area that has no waters of the United States; and,

(e) No material is placed in special aquatic sites, including wetlands.

The use of unsuitable material that is structurally unstable is not authorized. If dredging in navigable waters of the United States is necessary to provide access to the boat ramp, the dredging must be authorized by another NWP, a regional general permit, or an individual permit.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) The discharge into waters of the United States exceeds 50 cubic yards, or (2) the boat ramp exceeds 20 feet in width. (See general condition 32.)

(Authorities: Sections 10 and 404)

**37. Emergency Watershed Protection and Rehabilitation.** Work done by or funded by:

(a) The Natural Resources Conservation Service for a situation requiring immediate action under its Emergency Watershed Protection Program (7 CFR part 624);

(b) The U.S. Forest Service under its Burned-Area Emergency Rehabilitation Handbook (FSH 2509.13);

(c) The Department of the Interior for wildland fire management burned area emergency stabilization and rehabilitation (DOI Manual part 620, Ch. 3);

(d) The Office of Surface Mining, or states with approved programs, for abandoned mine land reclamation activities under Title IV of the Surface Mining Control and Reclamation Act (30 CFR subchapter R), where the activity does not involve coal extraction; or

(e) The Farm Service Agency under its Emergency Conservation Program (7 CFR part 701).

In general, the prospective permittee should wait until the district engineer issues an NWP verification or 45 calendar days have passed before proceeding with the watershed protection and rehabilitation activity. However, in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur, the emergency watershed protection and rehabilitation activity may proceed immediately and the district engineer will consider the information in the pre-construction notification and any comments received as a result of agency coordination to

decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

**Notification:** Except in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32).

(Authorities: Sections 10 and 404)

**38. Cleanup of Hazardous and Toxic Waste.** Specific activities required to effect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Court ordered remedial action plans or related settlements are also authorized by this NWP. This NWP does not authorize the establishment of new disposal sites or the expansion of existing sites used for the disposal of hazardous or toxic waste.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note:** Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA as approved or required by EPA, are not required to obtain permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

**39. Commercial and Institutional Developments.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of commercial and institutional building foundations and building pads and attendant features that are necessary for the use and maintenance of the structures. Attendant features may include, but are not limited to, roads, parking lots, garages, yards, utility lines, storm water management facilities, wastewater treatment facilities, and recreation facilities such as playgrounds and playing fields. Examples of commercial developments include retail stores, industrial facilities, restaurants, business parks, and shopping centers. Examples of institutional developments include schools, fire stations, government office buildings, judicial buildings, public works buildings, libraries, hospitals, and places of worship. The construction of new golf courses and new ski areas is not authorized by this NWP.

The discharge must not cause the loss of greater than ½-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed ½-acre. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note:** For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

**40. Agricultural Activities.** Discharges of dredged or fill material into non-tidal waters of the United States for agricultural activities, including the construction of building pads for farm buildings. Authorized activities include the installation, placement, or construction of drainage tiles, ditches, or levees; mechanized land clearing; land leveling; the relocation of existing serviceable drainage ditches constructed in waters of the United States; and similar activities.

This NWP also authorizes the construction of farm ponds in non-tidal waters of the United States, excluding perennial streams, provided the farm pond is used solely for agricultural purposes. This NWP does not authorize the construction of aquaculture ponds.

This NWP also authorizes discharges of dredged or fill material into non-tidal waters of the United States to relocate existing serviceable drainage ditches constructed in non-tidal streams.

The discharge must not cause the loss of greater than ½-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any



other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed ½-acre. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Section 404)

**Note:** Some discharges for agricultural activities may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4). This NWP authorizes the construction of farm ponds that do not qualify for the Clean Water Act section 404(f)(1)(C) exemption because of the recapture provision at section 404(f)(2).

**41. Reshaping Existing Drainage Ditches.** Discharges of dredged or fill material into non-tidal waters of the United States, excluding non-tidal wetlands adjacent to tidal waters, to modify the cross-sectional configuration of currently serviceable drainage ditches constructed in waters of the United States, for the purpose of improving water quality by regrading the drainage ditch with gentler slopes, which can reduce erosion, increase growth of vegetation, and increase uptake of nutrients and other substances by vegetation. The reshaping of the ditch cannot increase drainage capacity beyond the original as-built capacity nor can it expand the area drained by the ditch as originally constructed (*i.e.*, the capacity of the ditch must be the same as originally constructed and it cannot drain additional wetlands or other waters of the United States). Compensatory mitigation is not required because the work is designed to improve water quality.

This NWP does not authorize the relocation of drainage ditches constructed in waters of the United States; the location of the centerline of the reshaped drainage ditch must be approximately the same as the location of the centerline of the original drainage ditch. This NWP does not authorize stream channelization or stream relocation projects.

(Authority: Section 404)

**42. Recreational Facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of recreational facilities. Examples of recreational facilities that may be authorized by this NWP include playing fields (*e.g.*, football fields, baseball fields), basketball courts, tennis courts, hiking trails, bike paths, golf courses, ski areas, horse paths, nature centers, and campgrounds (excluding

recreational vehicle parks). This NWP also authorizes the construction or expansion of small support facilities, such as maintenance and storage buildings and stables that are directly related to the recreational activity, but it does not authorize the construction of hotels, restaurants, racetracks, stadiums, arenas, or similar facilities.

The discharge must not cause the loss of greater than ½-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed ½-acre. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authority: Section 404)

**43. Stormwater Management Facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction of stormwater management facilities, including stormwater detention basins and retention basins and other stormwater management facilities; the construction of water control structures, outfall structures and emergency spillways; the construction of low impact development integrated management features such as bioretention facilities (*e.g.*, rain gardens), vegetated filter strips, grassed swales, and infiltration trenches; and the construction of pollutant reduction green infrastructure features designed to reduce inputs of sediments, nutrients, and other pollutants into waters to meet reduction targets established under Total Daily Maximum Loads set under the Clean Water Act.

This NWP authorizes, to the extent that a section 404 permit is required, discharges of dredged or fill material into non-tidal waters of the United States for the maintenance of stormwater management facilities, low impact development integrated management features, and pollutant reduction green infrastructure features. The maintenance of stormwater management facilities, low impact development integrated management features, and pollutant reduction green

infrastructure features that are not waters of the United States does not require a section 404 permit.

The discharge must not cause the loss of greater than ½-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed ½-acre. This NWP does not authorize discharges of dredged or fill material for the construction of new stormwater management facilities in perennial streams.

**Notification:** For discharges into non-tidal waters of the United States for the construction of new stormwater management facilities or pollutant reduction green infrastructure features, or the expansion of existing stormwater management facilities or pollutant reduction green infrastructure features, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) Maintenance activities do not require pre-construction notification if they are limited to restoring the original design capacities of the stormwater management facility or pollutant reduction green infrastructure feature.

(Authority: Section 404)

**44. Mining Activities.** Discharges of dredged or fill material into non-tidal waters of the United States for mining activities, except for coal mining activities, provided the activity meets all of the following criteria:

(a) For mining activities involving discharges of dredged or fill material into non-tidal wetlands, the discharge must not cause the loss of greater than ½-acre of non-tidal wetlands;

(b) For mining activities involving discharges of dredged or fill material in non-tidal open waters (*e.g.*, rivers, streams, lakes, and ponds) the mined area, including permanent and temporary impacts due to discharges of dredged or fill material into jurisdictional waters, must not exceed ½-acre; and

(c) The acreage loss under paragraph (a) plus the acreage impact under paragraph (b) does not exceed ½-acre.



The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects.

The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed 1/2-acre.

This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction-notification to the district engineer prior to commencing the activity. (See general condition 32.) If reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification.

(Authorities: Sections 10 and 404)

**45. Repair of Uplands Damaged by Discrete Events.** This NWP authorizes discharges of dredged or fill material, including dredging or excavation, into all waters of the United States for activities associated with the restoration of upland areas damaged by storms, floods, or other discrete events. This NWP authorizes bank stabilization to protect the restored uplands. The restoration of the damaged areas, including any bank stabilization, must not exceed the contours, or ordinary high water mark, that existed before the damage occurred. The district engineer retains the right to determine the extent of the pre-existing conditions and the extent of any restoration work authorized by this NWP. The work must commence, or be under contract to commence, within two years of the date of damage, unless this condition is waived in writing by the district engineer. This NWP cannot be used to reclaim lands lost to normal erosion processes over an extended period.

This NWP does not authorize beach restoration or nourishment.

Minor dredging is limited to the amount necessary to restore the damaged upland area and should not significantly alter the pre-existing bottom contours of the waterbody.

**Notification:** The permittee must submit a pre-construction notification to the district engineer (see general condition 32) within 12 months of the date of the damage; for major storms, floods, or other discrete events, the district engineer may waive the 12-month limit for submitting a pre-construction notification if the

permittee can demonstrate funding, contract, or other similar delays. The pre-construction notification must include documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.

(Authority: Sections 10 and 404)

**Note:** The uplands themselves that are lost as a result of a storm, flood, or other discrete event can be replaced without a section 404 permit, if the uplands are restored to the ordinary high water mark (in non-tidal waters) or high tide line (in tidal waters). (See also 33 CFR 328.5.) This NWP authorizes discharges of dredged or fill material into waters of the United States associated with the restoration of uplands.

**46. Discharges in Ditches.** Discharges of dredged or fill material into non-tidal ditches that are: (1) Constructed in uplands, (2) receive water from an area determined to be a water of the United States prior to the construction of the ditch, (3) divert water to an area determined to be a water of the United States prior to the construction of the ditch, and (4) determined to be waters of the United States. The discharge must not cause the loss of greater than one acre of waters of the United States.

This NWP does not authorize discharges of dredged or fill material into ditches constructed in streams or other waters of the United States, or in streams that have been relocated in uplands. This NWP does not authorize discharges of dredged or fill material that increase the capacity of the ditch and drain those areas determined to be waters of the United States prior to construction of the ditch.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authority: Section 404)

**47. [Reserved]**

**48. Commercial Shellfish Aquaculture Activities.** Discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States necessary for new and continuing commercial shellfish aquaculture operations in authorized project areas. For the purposes of this NWP, the project area is the area in which the operator is authorized to conduct commercial shellfish aquaculture activities, as identified through a lease or permit issued by an appropriate state or local government agency, a treaty, or any easement, lease, deed, contract, or other legally binding agreement that establishes an enforceable property

interest for the operator. A "new commercial shellfish aquaculture operation" is an operation in a project area where commercial shellfish aquaculture activities have not been conducted during the past 100 years.

This NWP authorizes the installation of buoys, floats, racks, trays, nets, lines, tubes, containers, and other structures into navigable waters of the United States. This NWP also authorizes discharges of dredged or fill material into waters of the United States necessary for shellfish seeding, rearing, cultivating, transplanting, and harvesting activities. Rafts and other floating structures must be securely anchored and clearly marked.

This NWP does not authorize:

(a) The cultivation of a nonindigenous species unless that species has been previously cultivated in the waterbody;

(b) The cultivation of an aquatic nuisance species as defined in the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990;

(c) Attendant features such as docks, piers, boat ramps, stockpiles, or staging areas, or the deposition of shell material back into waters of the United States as waste; or

(d) Activities that directly affect more than 1/2-acre of submerged aquatic vegetation beds in project areas that have not been used for commercial shellfish aquaculture activities during the past 100 years.

**Notification:** The permittee must submit a pre-construction notification to the district engineer if: (1) The activity will include a species that has never been cultivated in the waterbody; or (2) the activity occurs in a project area that has not been used for commercial shellfish aquaculture activities during the past 100 years. If the operator will be conducting commercial shellfish aquaculture activities in multiple contiguous project areas, he or she can either submit one PCN for those contiguous project areas or submit a separate PCN for each project area. (See general condition 32.)

In addition to the information required by paragraph (b) of general condition 32, the pre-construction notification must also include the following information: (1) A map showing the boundaries of the project area(s), with latitude and longitude coordinates for each corner of each project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area(s) (a detailed survey is not required). No

more than one pre-construction notification per project area or group of contiguous project areas should be submitted for the commercial shellfish operation during the effective period of this NWP. The pre-construction notification should describe all species and culture activities the operator expects to undertake in the project area or group of contiguous project areas during the effective period of this NWP. If an operator intends to undertake unanticipated changes to the commercial shellfish aquaculture operation during the effective period of this NWP, and those changes require Department of the Army authorization, the operator must contact the district engineer to request a modification of the NWP verification; a new pre-construction notification does not need to be submitted.

(Authorities: Sections 10 and 404)

**Note 1:** The permittee should notify the applicable U.S. Coast Guard office regarding the project.

**Note 2:** To prevent introduction of aquatic nuisance species, no material that has been taken from a different waterbody may be reused in the current project area, unless it has been treated in accordance with the applicable regional aquatic nuisance species management plan.

**Note 3:** The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 defines "aquatic nuisance species" as "a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent on such waters."

**49. Coal Remining Activities.** Discharges of dredged or fill material into non-tidal waters of the United States associated with the remining and reclamation of lands that were previously mined for coal. The activities must already be authorized, or they must currently be in process as part of an integrated permit processing procedure, by the Department of the Interior Office of Surface Mining Reclamation and Enforcement, or by states with approved programs under Title IV or Title V of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Areas previously mined include reclaimed mine sites, abandoned mine land areas, or lands under bond forfeiture contracts.

As part of the project, the permittee may conduct new coal mining activities in conjunction with the remining activities when he or she clearly demonstrates to the district engineer that the overall mining plan will result

in a net increase in aquatic resource functions. The Corps will consider the SMCRA agency's decision regarding the amount of currently undisturbed adjacent lands needed to facilitate the remining and reclamation of the previously mined area. The total area disturbed by new mining must not exceed 40 percent of the total acreage covered by both the remined area and the additional area necessary to carry out the reclamation of the previously mined area.

**Notification:** The permittee must submit a pre-construction notification and a document describing how the overall mining plan will result in a net increase in aquatic resource functions to the district engineer and receive written authorization prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**50. Underground Coal Mining Activities.** Discharges of dredged or fill material into non-tidal waters of the United States associated with underground coal mining and reclamation operations provided the activities are authorized, or are currently being processed as part of an integrated permit processing procedure, by the Department of the Interior, Office of Surface Mining Reclamation and Enforcement, or by states with approved programs under Title V of the Surface Mining Control and Reclamation Act of 1977.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed 1/2-acre. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters. This NWP does not authorize coal preparation and processing activities outside of the mine site.

**Notification:** The permittee must submit a pre-construction notification to the district engineer and receive written authorization prior to commencing the activity. (See general condition 32.) If reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

(Authorities: Sections 10 and 404)

**Note:** Coal preparation and processing activities outside of the mine site may be authorized by NWP 21.

**51. Land-Based Renewable Energy Generation Facilities.** Discharges of dredged or fill material into non-tidal waters of the United States for the construction, expansion, or modification of land-based renewable energy production facilities, including attendant features. Such facilities include infrastructure to collect solar (concentrating solar power and photovoltaic), wind, biomass, or geothermal energy. Attendant features may include, but are not limited to roads, parking lots, and stormwater management facilities within the land-based renewable energy generation facility.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed 1/2-acre. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the discharge results in the loss of greater than 1/10-acre of waters of the United States. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note 1:** Utility lines constructed to transfer the energy from the land-based renewable energy generation facility to a distribution system, regional grid, or other facility are generally considered to be linear projects and each separate and distant crossing of a waterbody is eligible for treatment as a separate single and complete linear project. Those utility lines may be authorized by NWP 12 or another Department of the Army authorization.

**Note 2:** If the only activities associated with the construction, expansion, or modification of a land-based renewable energy generation facility that require Department of the Army authorization are discharges of dredged or fill material into waters of the United States to construct, maintain, repair, and/or remove utility lines and/or road crossings, then NWP 12 and/or NWP 14 shall be used if those activities meet the terms and conditions of NWPs 12 and 14, including any applicable regional conditions and any case-specific conditions imposed by the district engineer.

**Note 3:** For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

**52. Water-Based Renewable Energy Generation Pilot Projects.** Structures and work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States for the construction, expansion, modification, or removal of water-based wind, water-based solar, wave energy, or hydrokinetic renewable energy generation pilot projects and their attendant features. Attendant features may include, but are not limited to, land-based collection and distribution facilities, control facilities, roads, parking lots, and stormwater management facilities.

For the purposes of this NWP, the term "pilot project" means an experimental project where the water-based renewable energy generation units will be monitored to collect information on their performance and environmental effects at the project site.

The discharge must not cause the loss of greater than 1/2-acre of waters of the United States, including the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed 1/2-acre.

The placement of a transmission line on the bed of a navigable water of the United States from the renewable energy generation unit(s) to a land-based collection and distribution facility is considered a structure under Section 10 of the Rivers and Harbors Act of 1899 (see 33 CFR 322.2(b)), and the placement of the transmission line on the bed of a navigable water of the United States is not a loss of waters of the United States for the purposes of applying the 1/2-acre or 300 linear foot limits.

For each single and complete project, no more than 10 generation units (e.g., wind turbines, wave energy devices, or hydrokinetic devices) are authorized. For floating solar panels in navigable waters of the United States, each single and complete project cannot exceed 1/2-acre in water surface area covered by the floating solar panels.

This NWP does not authorize activities in coral reefs. Structures in an anchorage area established by the U.S. Coast Guard must comply with the requirements in 33 CFR 322.5(l)(2). Structures may not be placed in established danger zones or restricted areas designated in 33 CFR part 334, Federal navigation channels, shipping safety fairways or traffic separation schemes established by the U.S. Coast Guard (see 33 CFR 322.5(l)(1)), or EPA or Corps designated open water dredged material disposal areas.

Upon completion of the pilot project, the generation units, transmission lines, and other structures or fills associated with the pilot project must be removed to the maximum extent practicable unless they are authorized by a separate Department of the Army authorization, such as another NWP, an individual permit, or a regional general permit. Completion of the pilot project will be identified as the date of expiration of the Federal Energy Regulatory Commission (FERC) license, or the expiration date of the NWP authorization if no FERC license is required.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note 1:** Utility lines constructed to transfer the energy from the land-based collection facility to a distribution system, regional grid, or other facility are generally considered to be linear projects and each separate and distant crossing of a waterbody is eligible for treatment as a separate single and complete linear project. Those utility lines may be authorized by NWP 12 or another Department of the Army authorization.

**Note 2:** An activity that is located on an existing locally or federally maintained U.S. Army Corps of Engineers project requires separate approval from the Chief of Engineers or District Engineer under 33 U.S.C. 408.

**Note 3:** If the pilot project generation units, including any transmission lines, are placed in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, copies of the NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration, National Ocean Service, for charting the generation units and associated transmission line(s) to protect navigation.

**Note 4:** Hydrokinetic renewable energy generation projects that require authorization by the Federal Energy Regulatory Commission under the Federal Power Act of 1920 do not require separate authorization from the Corps under section 10 of the Rivers and Harbors Act of 1899.

**Note 5:** For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

**53. Removal of Low-Head Dams.** Structures and work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States associated with the removal of low-head dams.

For the purposes of this NWP, the term "low-head dam" is defined as a dam built across a stream to pass flows from upstream over all, or nearly all, of the width of the dam crest on a continual and uncontrolled basis. (During a drought, there might not be water flowing over the dam crest.) In general, a low-head dam does not have a separate spillway or spillway gates but it may have an uncontrolled spillway. The dam crest is the top of the dam from left abutment to right abutment, and if present, an uncontrolled spillway. A low-head dam provides little storage function.

The removed low-head dam structure must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.

Because the removal of the low-head dam will result in a net increase in ecological functions and services provided by the stream, as a general rule compensatory mitigation is not required for activities authorized by this NWP. However, the district engineer may determine for a particular low-head dam removal activity that compensatory mitigation is necessary to ensure the authorized activity results in no more than minimal adverse environmental effects.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.)

(Authorities: Sections 10 and 404)

**Note:** This NWP does not authorize discharges of dredged or fill material into waters of the United States or structures or work in navigable waters to restore the stream in the vicinity of the low-head dam, including the former impoundment area. Nationwide permit 27 or other Department of the Army permits may authorize such activities. This NWP does not authorize discharges of dredged or fill material into waters of the United States or structures or work in navigable waters to stabilize stream banks. Bank stabilization activities may be authorized by NWP 13 or other Department of the Army permits.

54. *Living Shorelines.* Structures and work in navigable waters of the United States and discharges of dredged or fill material into waters of the United States for the construction and maintenance of living shorelines to stabilize banks and shores in coastal waters, which includes the Great Lakes, along shores with small fetch and gentle slopes that are subject to low- to mid-energy waves. A living shoreline has a footprint that is made up mostly of native material. It incorporates vegetation or other living, natural "soft" elements alone or in combination with some type of harder shoreline structure (e.g., oyster or mussel reefs or rock sills) for added protection and stability. Living shorelines should maintain the natural continuity of the land-water interface, and retain or enhance shoreline ecological processes. Living shorelines must have a substantial biological component, either tidal or lacustrine fringe wetlands or oyster or mussel reef structures. The following conditions must be met:

(a) The structures and fill area, including sand fills, sills, breakwaters, or reefs, cannot extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes, unless the district engineer waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects;

(b) The activity is no more than 500 feet in length along the bank, unless the district engineer waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects;

(c) Coir logs, coir mats, stone, native oyster shell, native wood debris, and other structural materials must be adequately anchored, of sufficient weight, or installed in a manner that prevents relocation in most wave action or water flow conditions, except for extremely severe storms;

(d) For living shorelines consisting of tidal or lacustrine fringe wetlands, native plants appropriate for current site conditions, including salinity, must be used if the site is planted by the permittee;

(e) Discharges of dredged or fill material into waters of the United States, and oyster or mussel reef structures in navigable waters, must be the minimum necessary for the establishment and maintenance of the living shoreline;

(f) If sills, breakwaters, or other structures must be constructed to protect fringe wetlands for the living shoreline, those structures must be the

minimum size necessary to protect those fringe wetlands;

(g) The activity must be designed, constructed, and maintained so that it has no more than minimal adverse effects on water movement between the waterbody and the shore and the movement of aquatic organisms between the waterbody and the shore; and

(h) The living shoreline must be properly maintained, which may require periodic repair of sills, breakwaters, or reefs, or replacing sand fills after severe storms or erosion events. Vegetation may be replanted to maintain the living shoreline. This NWP authorizes those maintenance and repair activities, including any minor deviations necessary to address changing environmental conditions.

This NWP does not authorize beach nourishment or land reclamation activities.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the construction of the living shoreline. (See general condition 32.) The pre-construction notification must include a delineation of special aquatic sites (see paragraph (b)(4) of general condition 32). Pre-construction notification is not required for maintenance and repair activities for living shorelines unless required by applicable NWP general conditions or regional conditions.

(Authorities: Sections 10 and 404)

**Note:** In waters outside of coastal waters, nature-based bank stabilization techniques, such as bioengineering and vegetative stabilization, may be authorized by NWP 13.

### C. Nationwide Permit General Conditions

**Note:** To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, 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. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

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. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

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, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

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, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity 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, or during low tides.

**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 and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

**15. 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.

**16. Wild and Scenic Rivers.** (a) No NWP 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.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

**17. Tribal Rights.** No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

**18. Endangered Species.** (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation,

as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity 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 might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. 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 activity, and has so notified the Corps,



the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

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

(e) Authorization of an activity by an 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 FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B)

permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide Web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. *Migratory Birds and Bald and Golden Eagles*. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. *Historic Properties*. (a) In cases where the district engineer determines that the activity may have the potential to cause effects to 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. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, 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 might have the potential to be affected by the

proposed NWP activity 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 properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. 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 in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might 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 to historic properties or that NHPA section 106 consultation has been completed.

(d) For non-federal permittees, 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. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-

Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) 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, 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.

**21. *Discovery of Previously Unknown Remains and Artifacts.*** If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

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

also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

**23. *Mitigation.*** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than 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 for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed  $\frac{1}{10}$ -acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of  $\frac{1}{10}$ -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 only minimal adverse environmental effects.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no

more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (*e.g.*, conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored 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. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. 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 minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWP's, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the

district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)).

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) 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 ½-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than ½-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 an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert 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 environmental effects of the activity to the no more than minimal level.

**24. Safety of Impoundment Structures.** To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

**25. 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.

**26. 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.

**27. 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.

**28. 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 ⅓-acre.

**29. 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)

**30. Compliance Certification.** Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation,



including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

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

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

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

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

**31. Activities Affecting Structures or Works Built by the United States.** If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

**32. 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, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to

make the PCN complete. As a general rule, district engineers 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 until either:

(1) He or she is 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) 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 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there 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 Act (see 33 CFR 330.4(g)) has been 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 may not 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 activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and 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, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has

been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than  $\frac{1}{10}$ -acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408

permission from the Corps office having jurisdiction over that USACE project.

(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 an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(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 activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) All NWP activities that require pre-construction notification and result in the loss of greater than  $\frac{1}{2}$ -acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. 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 concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer 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.

(4) 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.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

#### D. District Engineer's Decision

1. 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 a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the

terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (*i.e.*, NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (*e.g.*, partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (*e.g.*, watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/2-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP

activities with smaller impacts, or for impacts to other types of waters (*e.g.*, streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than 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 environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. 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 proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) That the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is

authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity 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 environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

#### E. 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 (see general condition 31).

#### F. Definitions

*Best management practices (BMPs):* Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

*Compensatory mitigation:* The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and

practicable avoidance and minimization has been achieved.

**Currently serviceable:** Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

**Direct effects:** Effects that are caused by the activity and occur at the same time and place.

**Discharge:** The term "discharge" means any discharge of dredged or fill material into waters of the United States.

**Ecological reference:** A model used to plan and design an aquatic habitat and riparian area restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on the structure, functions, and dynamics of an aquatic habitat type or a riparian area type that currently exists in the region where the proposed NWP 27 activity is located. Alternatively, an ecological reference may be based on a conceptual model for the aquatic habitat type or riparian area type to be restored, enhanced, or established as a result of the proposed NWP 27 activity. An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

**Enhancement:** The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

**Ephemeral stream:** An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

**Establishment (creation):** The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

**High Tide Line:** The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation

lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

**Historic Property:** Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

**Independent utility:** A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

**Indirect effects:** Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

**Intermittent stream:** An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

**Loss of waters of the United States:** Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an

NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the acres or linear feet of stream bed that are filled or excavated as a result of the regulated activity. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

**Navigable waters:** Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined at 33 CFR part 329.

**Non-tidal wetland:** A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

**Open water:** For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

**Ordinary High Water Mark:** An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas.

**Perennial stream:** A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

**Practicable:** Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

**Pre-construction notification:** A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may

be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

**Preservation:** The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

**Protected tribal resources:** Those natural resources and properties of traditional or customary religious or cultural importance, either on or off Indian lands, retained by, or reserved by or for, Indian tribes through treaties, statutes, judicial decisions, or executive orders, including tribal trust resources.

**Re-establishment:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

**Rehabilitation:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource.

Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

**Restoration:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: Re-establishment and rehabilitation.

**Riffle and pool complex:** Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent

surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

**Riparian areas:** Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

**Shellfish seeding:** The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (*i.e.*, spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

**Single and complete linear project:** A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (*i.e.*, a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, *etc.*, are not separate waterbodies, and crossings of such features cannot be considered separately.

**Single and complete non-linear project:** For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility").

Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

**Stormwater management:** Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

**Stormwater management facilities:** Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (*i.e.*, by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

**Stream bed:** The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

**Stream channelization:** The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

**Structure:** An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

**Tidal wetland:** A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

**Tribal lands:** Any lands title to which is either: (1) Held in trust by the United States for the benefit of any Indian tribe or individual; or (2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.

*Tribal rights:* Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

*Vegetated shallows:* Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas

that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

*Waterbody:* For purposes of the NWP, a waterbody is a jurisdictional water of the United States. If a wetland is adjacent to a waterbody determined to

be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of “waterbodies” include streams, rivers, lakes, ponds, and wetlands.

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BILLING CODE 3720–58–P

**APPENDIX C3**

**U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE**

**SPECIAL USE PERMIT**



Authorization ID: ELD100328  
Contact ID: ELDORADO COUNTY  
Expiration Date: 12/31/2026  
Use Code: 921

FS-2700-4 (V. 01/2014)  
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
SPECIAL USE PERMIT**

**Authority: FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976  
(Ref.: FSH 2709.11, section 41.53)**

El Dorado County Community Development Agency, Transportation Division, 924B Emerald Bay Road, South Lake Tahoe, CA 96150 (hereinafter called "the holder") is hereby authorized to use or occupy National Forest System lands in the Lake Tahoe Basin Management Unit, subject to the terms and conditions of this special use permit (the permit).

This permit covers 0.07 acre in the Sec. 29, T. 12 N., R. 18 E., Mt. Diablo Meridian, ("the permit area"), as shown on the maps attached as Exhibits B-1 through B-8. This permit is issued for the purpose of:

Construction, operation and maintenance of erosion control facilities within the "Meyers Phase 1" project area, including installation of new check dams, rock-lined channels, pipe aprons, flared end sections, diversion structures, berms, and revegetation work. Existing facilities on one parcel currently included in ELD100312 (APN 035-030-21) are also authorized. Temporary disturbance square footage is authorized for construction access or revegetation.

**NEW CONSTRUCTION:**

APN	NEW FACILITIES	LOCATION	PERMANENT IMPROVEMENTS	TEMPORARY DISTURBANCE
034-221-08	Relocate channel, rock dissipator, flared end section, pipe, remove one tree	Arapahoe St	1,700 SF	4,900 SF
034-221-47	Rock lined channel, concrete pipe apron	San Diego St.	200 SF	400 SF
034-224-03	Rock bowl/sediment forebay	San Diego St.	120 SF	250 SF
034-391-04	Rock lined channel, pipe apron, remove two trees	Santa Fe Rd.	120 SF	340 SF
034-392-01	Portion of rock check dam, rock bowl	Santa Fe Rd.	150 SF	3,000 SF
034-401-05	Flared end section, rock dissipator	Santa Fe Rd	60 SF	3,100 SF
034-401-20	Grass lined swale (existing)	Santa Fe Rd	429 SF	1,550 SF
034-401-23	Grass lined swale and earthen berm (existing)	Santa Fe Rd.	27 SF	3,000 SF
081-020-03*	Berm and rock check dams	Pioneer Trail and Southern Pines Dr.	413 SF	6,300 SF
		<b>TOTALS</b>	<b>3,219 SF (0.07 acre)</b>	<b>22,840 SF (0.52 acre)</b>



\*This parcel has existing facilities that were previously authorized in ELD100310, but are moved to this permit to consolidate all special use facilities located in this geographic area. A new berm will be constructed on this parcel.

There are existing facilities on APN 035-030-21 that were previously authorized by special use permit ELD100312 that are now included in this permit. There are no changes to the facilities on this parcel.

APN	EXISTING FACILITIES	LOCATION	PERMANENT DISTURBANCE
035-030-21	Basin, culvert, and CMP riser	Ottawa Dr.	2,565 SF
	<b>TOTAL</b>		<b>2,565 SF (.06 acre)</b>

Four parcels will be revegetated or will have debris removed, and will have no permanent structures constructed on them.

APN	LOCATION	TEMPORARY DISTURBANCE
034-391-08	Santa Fe Rd	950 SF
034-392-06	Santa Fe Rd	1,150 SF
034-392-07	Santa Fe Rd	1,150 SF
034-401-18	Santa Re Rd	1,500 SF
	<b>TOTAL</b>	<b>4,750 SF (.11 acre)</b>

The new diversion dams will direct seasonal stormwater flows that will inundate additional National Forest System lands (below), all located near Santa Fe Road.

APN	SEASONAL DISTURBANCE - Inundation
034-392-01	350 SF
034-401-18	20,000 SF
034-401-20	19,300 SF
<b>TOTAL</b>	<b>39,650 SF (0.91 acre)</b>

**Total permanent improvements: 3,219 SF, 0.07 acre**

**Total temporary construction/revegetation disturbance: 22,840 SF, 0.52 acre**

**Seasonal inundation: 39,650 SF, 0.91 acre**

## TERMS AND CONDITIONS

### I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the Federal Land Policy and Management Act (FLPMA), as amended October 21, 1976 and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

B. AUTHORIZED OFFICER. The authorized officer is the Forest Supervisor or a subordinate officer with delegated authority.

C. TERM. This permit shall expire at midnight on **12/31/2026**, ten years from the date of issuance.

D. RENEWAL. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit that would renew the use and occupancy authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit. Renewal of the use and occupancy authorized by this permit shall be at the sole discretion of the authorized officer. At a minimum, before renewing the use and occupancy authorized by this permit, the authorized officer shall require that (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the applicable land management plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit. The authorized officer may prescribe new terms and conditions when a new permit is issued.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable forest land and resource management plan, or projects and activities implementing a land management plan pursuant to 36 CFR Part 215.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use or occupancy authorized by this permit is not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable.

## II. IMPROVEMENTS

A. LIMITATIONS ON USE. Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54. Approval of such a proposal through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

B. PLANS. All plans for development, layout, construction, reconstruction, or alteration of improvements in the permit area, as well as revisions to those plans must be prepared by a professional engineer, architect, landscape architect, or other qualified professional based on federal employment standards acceptable to the authorized officer. These plans and plan revisions must have written approval from the authorized officer before they are implemented. The authorized officer may require the holder to furnish as-built plans, maps, or surveys upon completion of the work.

C. CONSTRUCTION. Any construction authorized by this permit shall commence by September 1, 2016, and shall be completed by October 15, 2017.

### III. OPERATIONS.

A. PERIOD OF USE. Use or occupancy of the permit area shall be exercised at least 365 days each year.

B. CONDITION OF OPERATIONS. The holder shall maintain the authorized improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this permit. Standards are subject to periodic change by the authorized officer when deemed necessary to meet statutory, regulatory, or policy requirements or to protect national forest resources. The holder shall comply with inspection requirements deemed appropriate by the authorized officer.

C. OPERATING PLAN. The holder shall prepare and revise as needed an operating plan. The operating plan shall be prepared in consultation with the authorized officer or the authorized officer's designated representative and shall cover all operations authorized by this permit. The operating plan shall outline steps the holder will take to protect public health and safety and the environment and shall include sufficient detail and standards to enable the Forest Service to monitor the holder's operations for compliance with the terms and conditions of this permit. The operating plan shall be submitted by the holder and approved by the authorized officer or the authorized officer's designated representative prior to commencement of operations and shall be attached to this permit as an appendix. The authorized officer may require an annual meeting with the holder to discuss the terms and conditions of the permit or operating plan, annual use reports, or other concerns either party may have.

D. INSPECTION BY THE FOREST SERVICE. The Forest Service shall monitor the holder's operations and reserves the right to inspect the permit area and transmission facilities at any time for compliance with the terms of this permit. The holder's obligations under this permit are not contingent upon any duty of the Forest Service to inspect the permit area or transmission facilities. A failure by the Forest Service or other governmental officials to inspect is not a justification for noncompliance with any of the terms and conditions of this permit.

### IV. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR 251, Subpart C and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. **VALID OUTSTANDING RIGHTS.** This permit is subject to all valid outstanding rights. Valid outstanding rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

C. **ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS.** The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. **SERVICES NOT PROVIDED.** This permit does not provide for the furnishing of road or trail maintenance, water, fire protection, search and rescue, or any other such service by a government agency, utility, association, or individual.

E. **RISK OF LOSS.** The holder assumes all risk of loss associated with use or occupancy of the permit area, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If authorized temporary improvements in the permit area are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, the permit shall terminate.

F. **DAMAGE TO UNITED STATES PROPERTY.** The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs, damage to government-owned improvements covered by this permit, and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of clause IV.F and section V, "hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use or occupancy of the permit area. If the environment or any government property covered by this permit becomes damaged during the holder's use or occupancy of the permit area, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.

2. The holder shall be liable for all injury, loss, or damage, including fire suppression, prevention and control of the spread of invasive species, or other costs in connection with rehabilitation or restoration of natural resources associated with the use or occupancy authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.I.



3. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

G. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any activity or condition arising out of or relating to the authorized use or occupancy that causes or threatens to cause a hazard to public health or the safety of the holder's employees or agents or harm to the environment (including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources). The holder shall prevent impacts to the environment and cultural resources by implementing actions identified in the operating plan to prevent establishment and spread of invasive species. The holder shall immediately notify the authorized officer of all serious accidents that occur in connection with such activities. The responsibility to protect the health and safety of all persons affected by the use or occupancy authorized by this permit is solely that of the holder. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations and activities of the holder for hazardous conditions or compliance with health and safety standards.

H. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use or occupancy authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees in connection with the use or occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable, and including but not limited to those environmental laws listed in clause V.A of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous materials, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

I. BONDING. The authorized officer may require the holder to furnish a surety bond or other security for any of the obligations imposed by the terms and conditions of this permit or any applicable law, regulation, or order.

## V. RESOURCE PROTECTION

A. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with the use or occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., CERCLA, as amended, 42 U.S.C. 9601 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and

Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

B. VANDALISM. The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

C. PESTICIDE USE. Pesticides may not be used outside of buildings to control undesirable woody and herbaceous vegetation (including aquatic plants), insects, rodents, fish, and other pests and weeds without prior written approval from the authorized officer. A request for approval of planned uses of pesticides shall be submitted annually by the holder on the due date established by the authorized officer. The report shall cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests or weeds require control measures that were not anticipated at the time an annual report was submitted. Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be considered for use on National Forest System lands. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers.

D. ARCHAEOLOGICAL-PALEONTOLOGICAL DISCOVERIES. The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave these discoveries intact and in place until directed otherwise by the authorized officer. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the holder.

E. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION. In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall make a reasonable effort to protect and secure the items. The holder shall immediately notify the authorized officer by telephone of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the authorized officer certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a binding written agreement has been executed between the Forest Service and the affiliated Indian tribes that adopts a recovery plan for the human remains and objects.

F. PROTECTION OF HABITAT OF THREATENED, ENDANGERED, AND SENSITIVE SPECIES. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, 16 U.S.C. 1531 et seq., as amended, or identified as sensitive or otherwise requiring special protection by the Regional Forester under Forest Service Manual (FSM) 2670, pursuant to consultation conducted under section 7 of the ESA, may be shown on the ground or on a separate map. The map shall be attached to this permit as an appendix. The holder shall take any protective and mitigative measures specified by the authorized officer. If protective and mitigative measures prove inadequate, if other sites within the permit area containing threatened, endangered, or sensitive species or species otherwise requiring special protection are discovered, or if new species are listed as threatened or endangered under the ESA or identified as sensitive or otherwise requiring special protection by the Regional Forester under the FSM,

the authorized officer may specify additional protective and mitigative measures. Discovery of these sites by the holder or the Forest Service shall be promptly reported to the other party.

**G. CONSENT TO STORE HAZARDOUS MATERIALS.** The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

1. If the holder receives consent to store hazardous material, the holder shall identify to the Forest Service any hazardous material to be stored at the site. Such identification information shall be consistent with column (1) of the table of hazardous materials and special provisions enumerated at 49 CFR 172.101 whenever the hazardous material appears in that table. For hazard communication purposes, the holder shall maintain Material Safety Data Sheets for any stored hazardous chemicals, consistent with 29 CFR 1910.1200(c) and (g). In addition, all hazardous materials stored by the holder shall be used, labeled, stored, transported, and disposed of in accordance with all applicable federal, state, and local laws and regulations.

2. The holder shall not release any hazardous material as defined in clause IV.F. onto land or into rivers, streams, impoundments, or natural or man-made channels leading to them. All prudent and safe attempts must be made to contain any release of these materials. The authorized officer in charge may specify specific conditions that must be met, including conditions more stringent than federal, state, and local regulations, to prevent releases and protect natural resources.

#### **H. CLEANUP AND REMEDIATION**

1. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B, and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

2. Except with respect to any federally permitted release as that term is defined under Section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either in the permit area or in connection with the holder's activities in the permit area, regardless of whether those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

I. CERTIFICATION UPON REVOCATION OR TERMINATION. If the holder uses or stores hazardous materials at the site, upon revocation or termination of this permit the holder shall provide the Forest Service with a report certified by a professional or professionals acceptable to the Forest Service that the permit area is uncontaminated by the presence of hazardous materials and that there has not been a release or discharge of hazardous materials upon the permit area, into surface water at or near the permit area, or into groundwater below the permit area during the term of the permit. This certification requirement may be waived by the authorized officer when the Forest Service determines that the risks posed by the hazardous material are minimal. If a release or discharge has occurred, the professional or professionals shall document and certify that the release or discharge has been fully remediated and that the permit area is in compliance with all federal, state, and local laws and regulations.

#### VI. LAND USE FEE AND ACCOUNTING ISSUES

A. LAND USE FEES. The use or occupancy authorized by this permit is exempt from a land use fee or the land use fee has been waived in full pursuant to 36 CFR 251.57 and Forest Service Handbook 2709.11, Chapter 30.

B. MODIFICATION OF THE LAND USE FEE. The land use fee may be revised whenever necessary to reflect the market value of the authorized use or occupancy or when the fee system used to calculate the land use fee is modified or replaced.

#### C. FEE PAYMENT ISSUES.

1. Crediting of Payments. Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. Disputed Fees. Fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

#### 3. Late Payments

(a) Interest. Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee amount is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.



(d) Termination for Nonpayment. This permit shall terminate without the necessity of prior notice and opportunity to comply when any permit fee payment is 90 calendar days from the due date in arrears. The holder shall remain responsible for the delinquent fees.

4. Administrative Offset and Credit Reporting. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 60 days, referral to the Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

## VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The authorized officer may revoke or suspend this permit in whole or in part:

1. For noncompliance with federal, state, or local law.
2. For noncompliance with the terms of this permit.
3. For abandonment or other failure of the holder to exercise the privileges granted.
4. With the consent of the holder.
5. For specific and compelling reasons in the public interest.

Prior to revocation or suspension, other than immediate suspension under clause VII.B, the authorized officer shall give the holder written notice of the grounds for revocation or suspension. In the case of revocation or suspension based on clause VII.A.1, 2, or 3, the authorized officer shall give the holder a reasonable time, typically not to exceed 90 days, to cure any noncompliance.

B. IMMEDIATE SUSPENSION. The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions prompting the suspension. The authorized officer's supervisor shall grant this request within 48 hours. Following the on-site review, the authorized officer's supervisor shall promptly affirm, modify, or cancel the suspension.

C. APPEALS AND REMEDIES. Written decisions by the authorized officer relating to administration of this permit are subject to administrative appeal pursuant to 36 CFR Part 214 as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

D. **TERMINATION.** This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and termination upon change of control of the business entity. Termination of this permit shall not require notice, a decision document, or any environmental analysis or other documentation. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

E. **RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT RENEWAL.** Upon revocation or termination of this permit without renewal of the authorized use, the holder shall remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and shall restore the site to the satisfaction of the authorized officer. If the holder fails to remove all structures and improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

#### VIII. MISCELLANEOUS PROVISIONS

A. **MEMBERS OF CONGRESS.** No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. **CURRENT ADDRESSES.** The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for billing and payment of land use fees.

C. **SUPERIOR CLAUSES.** If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

D. **NOXIOUS WEEDS.** The permit holder shall prepare, in cooperation with the Forest Service, a noxious weed plan for surveying, preventing, reporting, controlling and monitoring noxious weed populations on the authorized areas and within the holder's area of responsibility. These measures may include, where appropriate, equipment inspection for soil, seeds, and vegetative matter, equipment cleaning, and use of weed-free materials (soil, gravel, straw, mulch) and seed mixes. A current list of noxious weeds of concern is available at the Forest Supervisor's Office.

E. **SITE DEVELOPMENT SCHEDULE.** The holder shall prepare by **August 15, 2016**, a schedule for the progressive development and installation of facilities on the permitted site. This schedule shall be made a part of this authorization. The holder may accelerate the scheduled date for installation of any improvement authorized, provided the other scheduled priorities are met and that all priority installations authorized are completed to the satisfaction of the Forest Service and ready for public use prior to the scheduled due date.

All required plans and specifications for site improvements, and structures included in the development schedule shall be properly certified and submitted to the Forest Service at least forty-five (45) days before the construction date stipulated in the development schedule.

F. REMOVAL AND PLANTING OF VEGETATION AND OTHER RESOURCES. This permit does not authorize the cutting of timber or other vegetation. Trees or shrubbery may be removed or destroyed only after the authorized officer or the authorized officer's designated representative has approved in writing and marked or otherwise identified what may be removed or destroyed. Timber cut or destroyed shall be paid for at current stumpage rates for similar timber in the Lake Tahoe Basin Management Unit. The Forest Service reserves the right to dispose of the merchantable timber to those other than the holder at no stumpage cost to the holder. Unmerchantable material shall be disposed of as directed by the authorized officer. Trees, shrubs, and other plants may be planted within the permit area with prior written approval of the authorized officer.

G. GROUND SURFACE PROTECTION AND RESTORATION. The holder shall prevent and control soil erosion and gully on National Forest System lands in and adjacent to the permit area resulting from construction, operation, maintenance, and termination of the authorized use. The holder shall construct authorized improvements so as to avoid accumulation of excessive amounts of water in the permit area and encroachment on streams. The holder shall revegetate or otherwise stabilize (for example, by constructing a retaining wall) all ground where the soil has been exposed as a result of the holder's construction, maintenance, operation, or termination of the authorized use.

H. TIMBER PAYMENT. All National Forest timber cut or destroyed in the construction of the permitted improvements shall be paid for at current stumpage rates for similar timber in the National Forest. Young-growth timber below merchantable size will be paid for at current damage-appraisal value; and all slash and debris resulting from the cutting or destruction of such timber shall be disposed of as necessary or as the Forest Service may direct.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

EL DORADO COUNTY DEPARTMENT  
OF TRANSPORTATION

By:   
Bard Lower  
Director of Transportation

Date: 7/19/16

U.S. DEPARTMENT OF AGRICULTURE  
Forest Service: Lake Tahoe Basin Mgmt Unit

By:   
JEFF MARSOLAIS  
Forest Supervisor

Date: 7/21/16

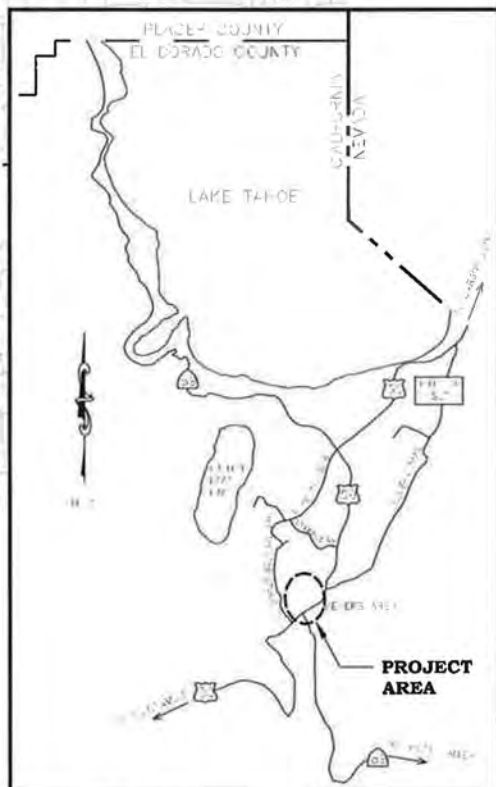
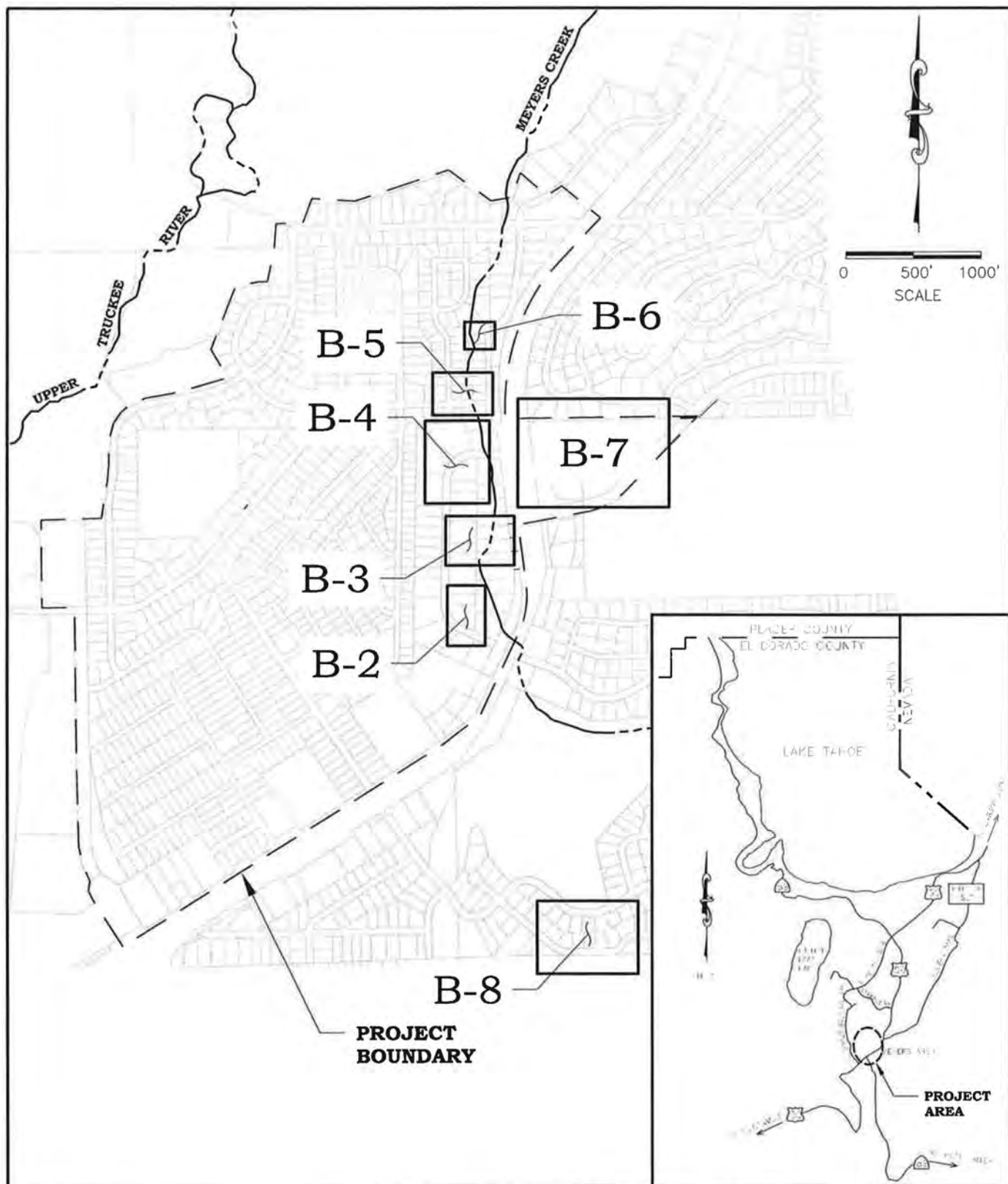
According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 975-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.





**COMMUNITY  
DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT  
USFS SPECIAL USE PERMIT 2016**

Location Map & Index Map of Exhibits

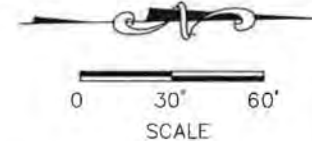
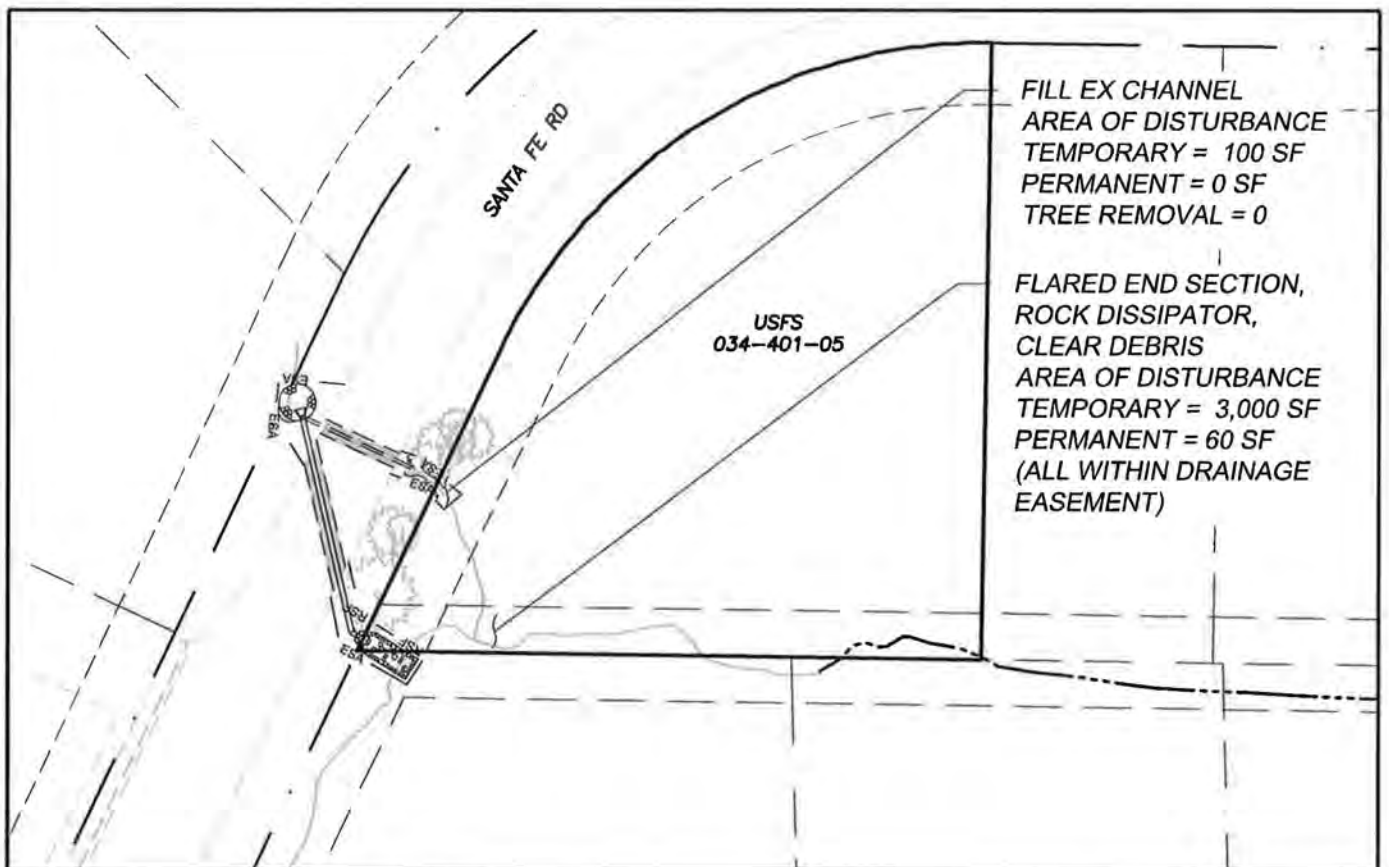
DATE: 07/16

PROJECT NO.: 95179

BY: DSP

EXHIBIT

**B-1**



### LEGEND

———	RIGHT OF WAY
———	LOT LINE
———	DRAINAGE EASEMENT
———	SETBACK LINE
———	TEMPORARY FENCING
———	TEMPORARY FENCING
———	FLARED END SECTION
———	ROCK
———	AERIAL FLOWLINE
———	SURVEYED FLOW LINE

### KEY MAP



**COMMUNITY  
DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT  
USFS SPECIAL USE PERMIT 2016**

**PARCELS OF INTEREST  
034-401-05**

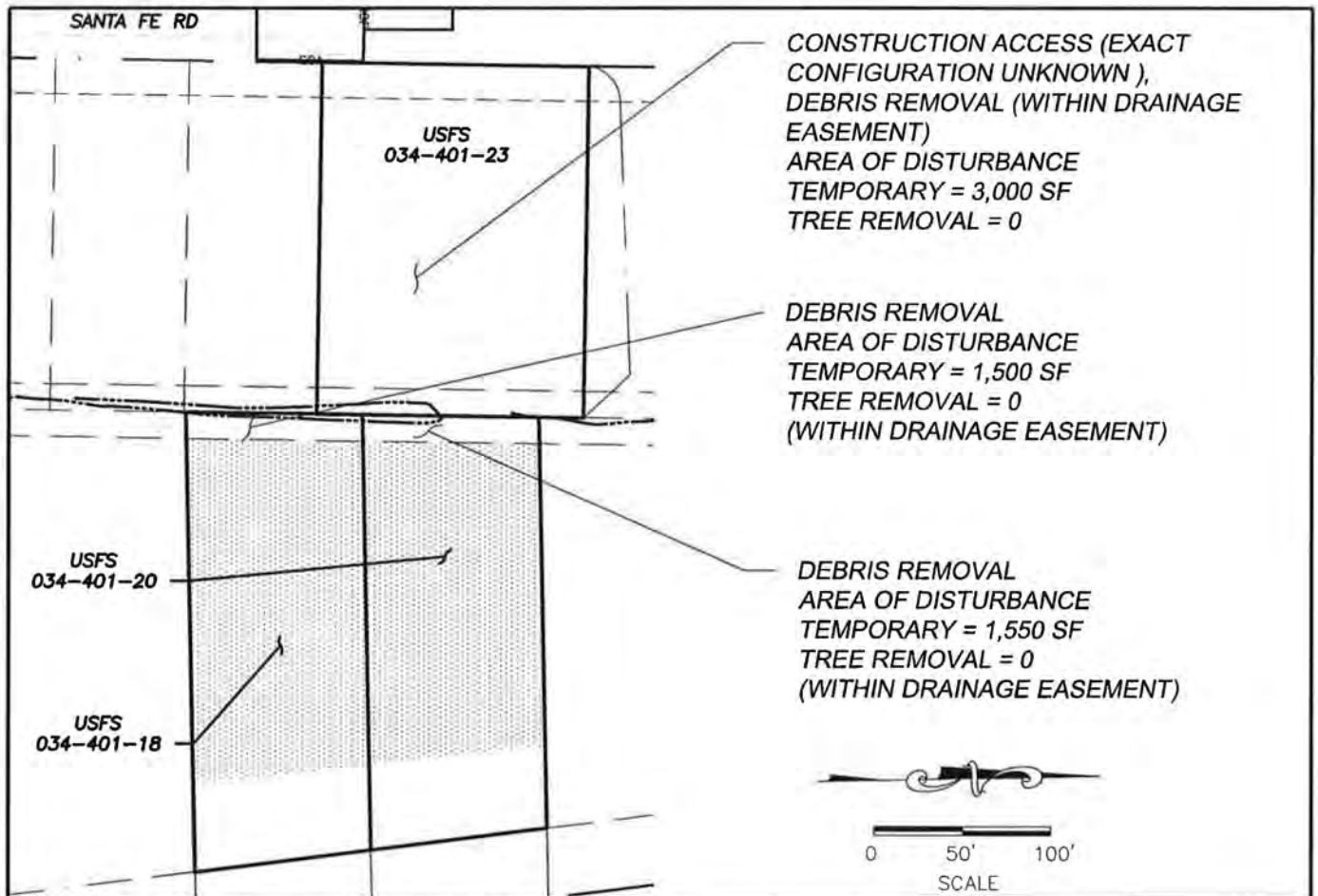
DATE: 07/16

PROJECT NO.: 95179

BY: DSP

EXHIBIT

**B-2**



#### LEGEND

	RIGHT OF WAY
	LOT LINE
	DRAINAGE EASEMENT
	SETBACK LINE
	AERIAL FLOWLINE
	INUNDATION AREA

APN	SEASONAL DISTURBANCE (SF)	STORM WATER INUNDATION*
034-401-18	20,000	YES
034-401-20	19,300	YES

\* AREA OF INUNDATION IS EXISTING FROM PRIOR PROJECT

#### KEY MAP



**COMMUNITY DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

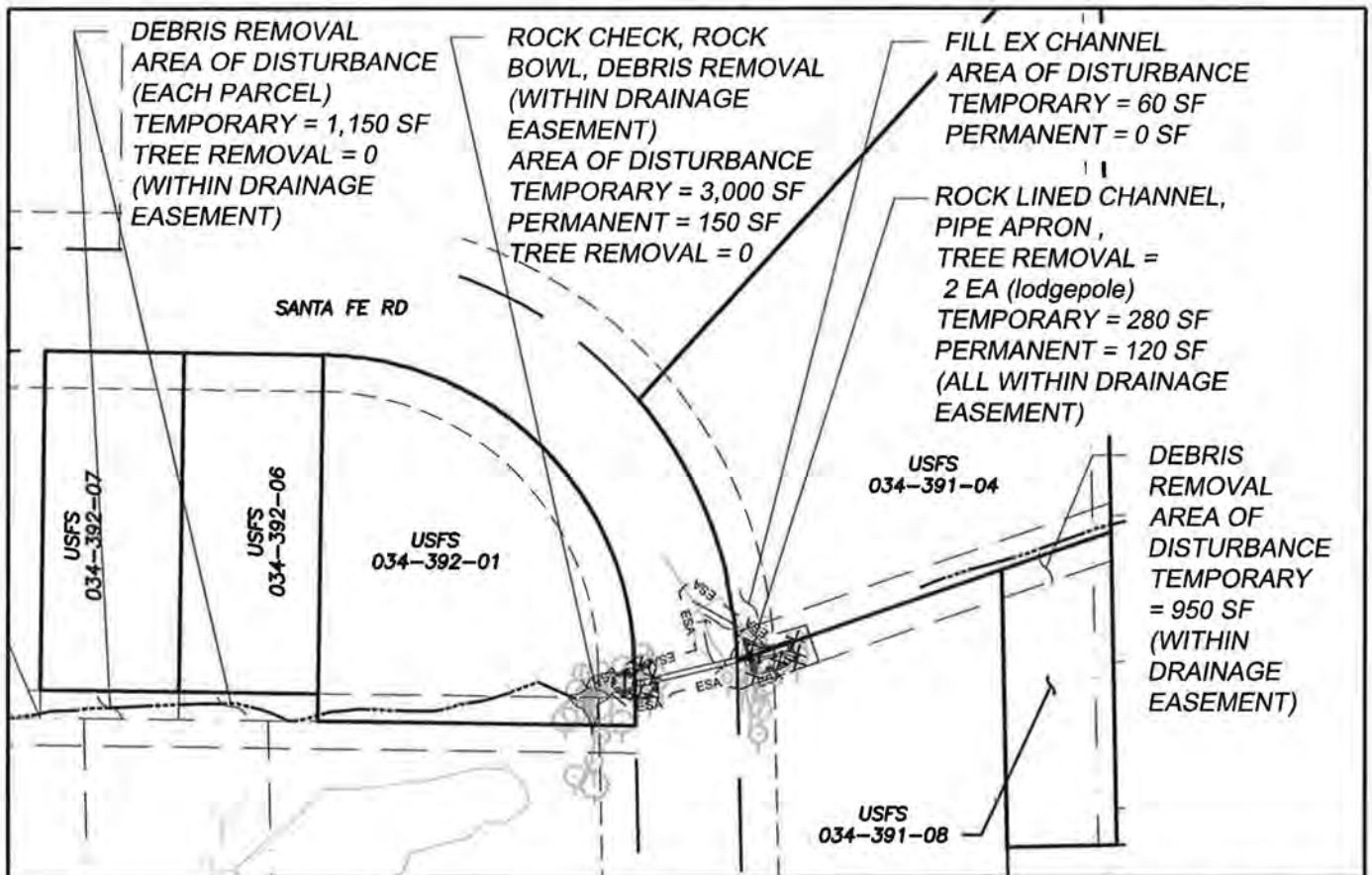
**MEYERS SEZ/ EC PROJECT**  
**USFS SPECIAL USE PERMIT 2016**

**PARCELS OF INTEREST**  
034-401-18, 034-401-20, 034-401-23

DATE: 07/16 PROJECT NO.: 95179 BY: DSP

EXHIBIT

**B-3**



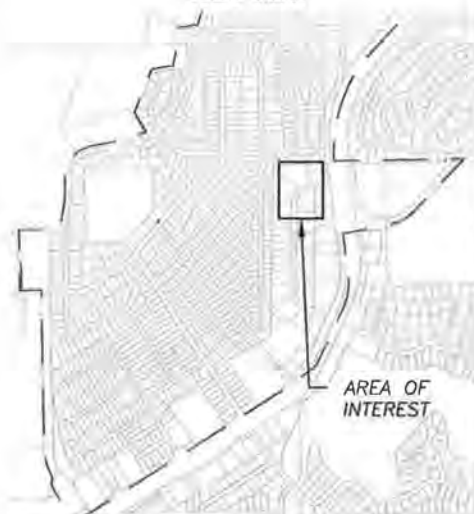
### LEGEND

— — — — —	RIGHT OF WAY
— — — — —	LOT LINE
— — — — —	DRAINAGE EASEMENT
— — — — —	SETBACK LINE
— ESA — ESA — ESA — ESA — ESA —	TEMPORARY FENCING
— RSF — RSF — RSF — RSF — RSF —	TEMPORARY FENCING
— — — — —	FLARED END SECTION
— — — — —	PIPE APRON
— — — — —	ROCK
— — — — —	AERIAL FLOWLINE
— — — — —	SURVEYED FLOW LINE
— — — — —	INUNDATION AREA



0 50' 100'  
SCALE

### KEY MAP



APN	SEASONAL DISTURBANCE (SF)	STORM WATER INUNDATION
034-392-01	350*	YES

\* 150 SF IS WITHIN DRAINAGE EASEMENT



**COMMUNITY DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

### MEYERS SEZ/ EC PROJECT USFS SPECIAL USE PERMIT 2016 PARCELS OF INTEREST

034-391-04, 034-391-08, 034-392-01, 034-392-06,  
034-392-07

EXHIBIT

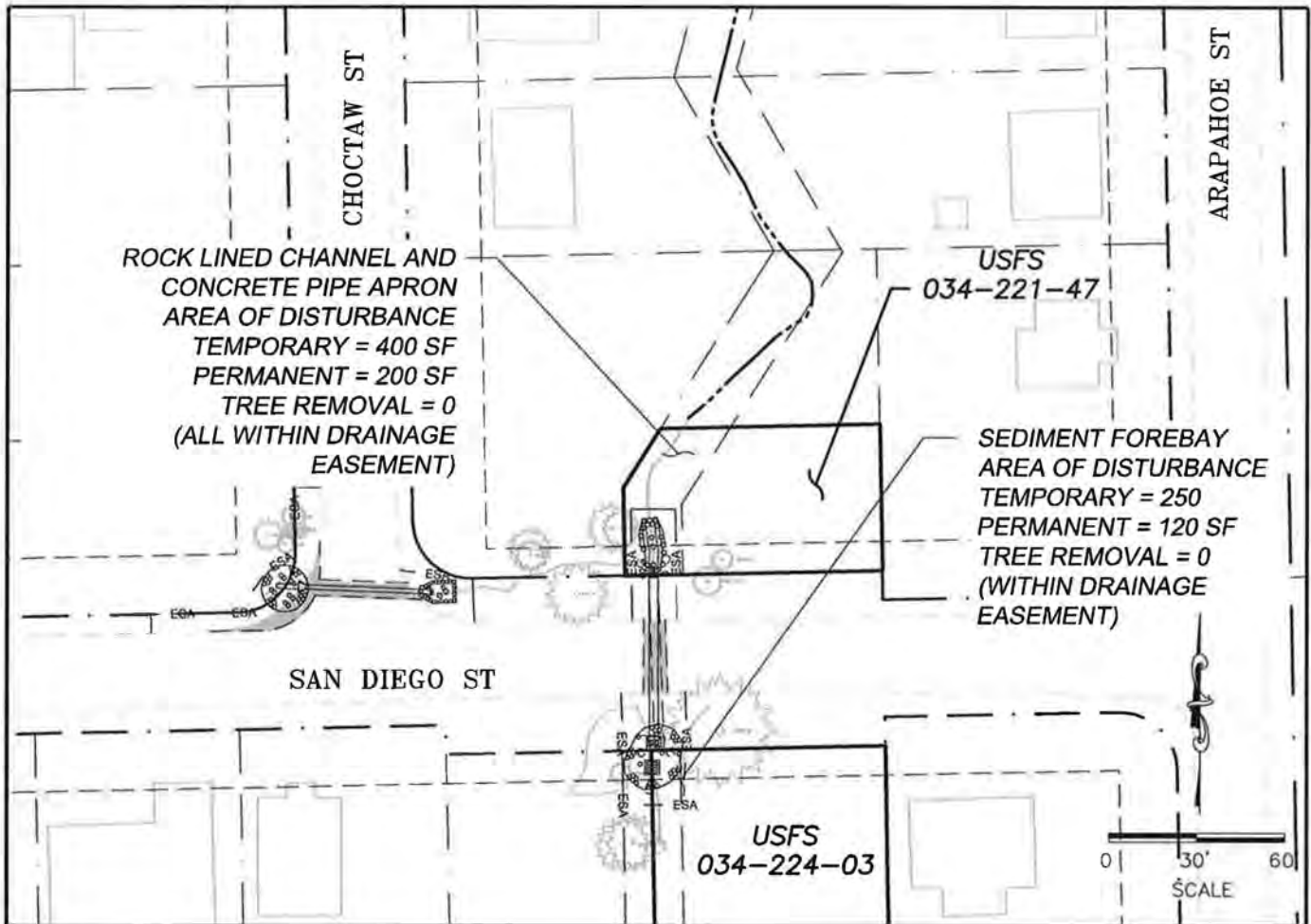
**B-4**

DATE: 07/16

PROJECT NO.: 95179

BY: DSP





### LEGEND

———	RIGHT OF WAY
———	LOT LINE
———	DRAINAGE EASEMENT
———	SETBACK LINE
——— ESA — ESA — ESA — ESA — ESA —	TEMPORARY FENCING
——— RSF — RSF — RSF — RSF — RSF —	TEMPORARY FENCING
———	FLARED END SECTION
———	PIPE APRON
———	ROCK
———	AERIAL FLOWLINE
———	SURVEYED FLOW LINE

### KEY MAP



**COMMUNITY DEVELOPMENT AGENCY**  
 TRANSPORTATION DIVISION  
 SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT**  
**USFS SPECIAL USE PERMIT 2016**

**PARCELS OF INTEREST**  
 034-221-47 and 034-224-03

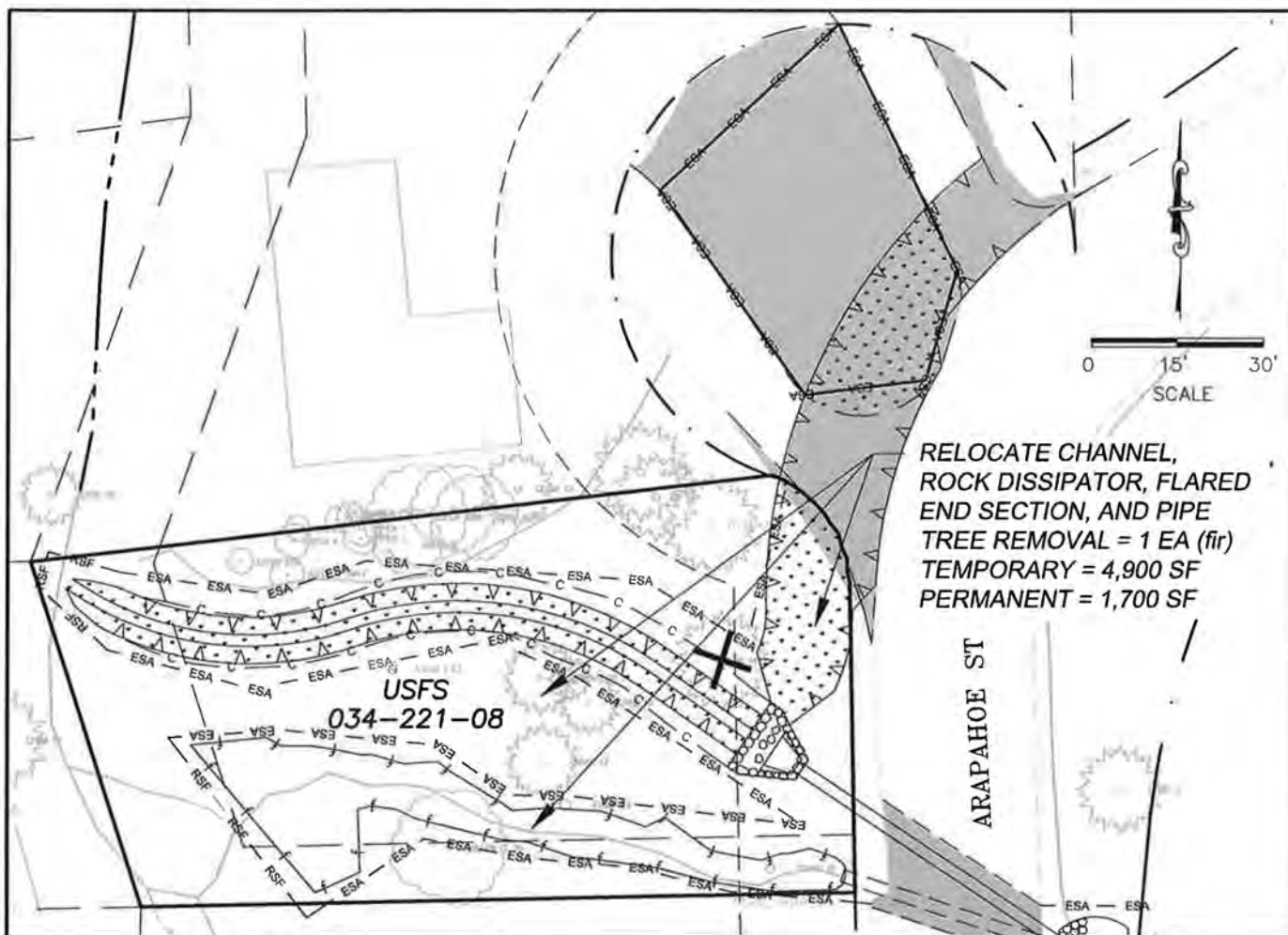
DATE: 07/16

PROJECT NO.: 95179

BY: DSP

EXHIBIT

**B-5**



### LEGEND

— — — — —	RIGHT OF WAY
- - - - -	LOT LINE
- - - - -	DRAINAGE EASEMENT
- - - - -	SETBACK LINE
— ESA — ESA — ESA — ESA — ESA —	TEMPORARY FENCING
— RSF — RSF — RSF — RSF — RSF —	TEMPORARY FENCING
— C — C — C — C — C —	CUT LINE
— f — f — f — f — f —	FILL LINE
	CHANNEL / SWALE
	FLARED END SECTION
	ROCK
	AERIAL FLOWLINE
	SURVEYED FLOW LINE
	BLANKET

### KEY MAP



COMMUNITY  
DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

MEYERS SEZ/ EC PROJECT  
USFS SPECIAL USE PERMIT 2016

PARCEL OF INTEREST  
APN 034-221-08

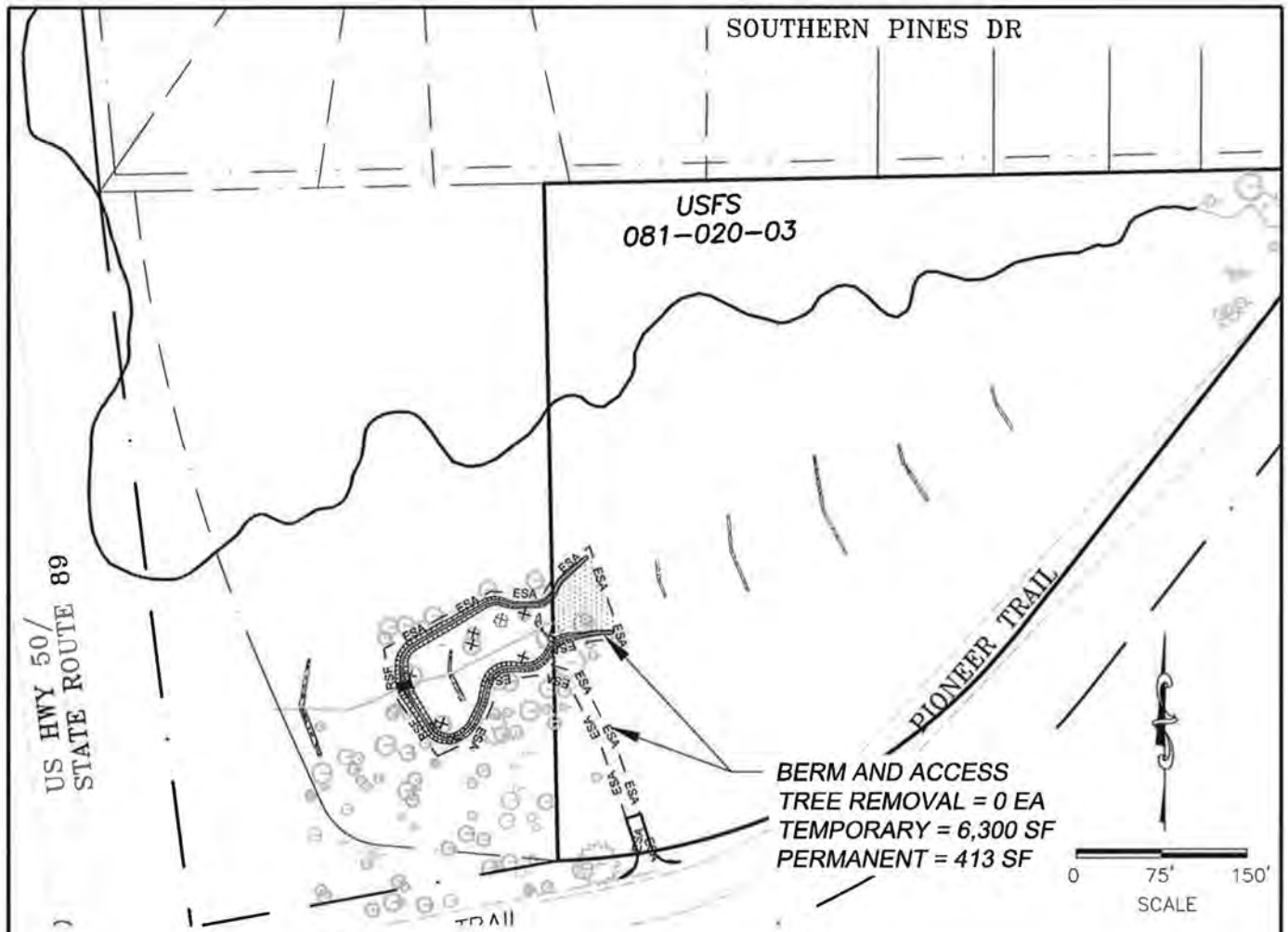
DATE: 07/16

PROJECT NO.: 95179

BY: DSP

EXHIBIT

B-6

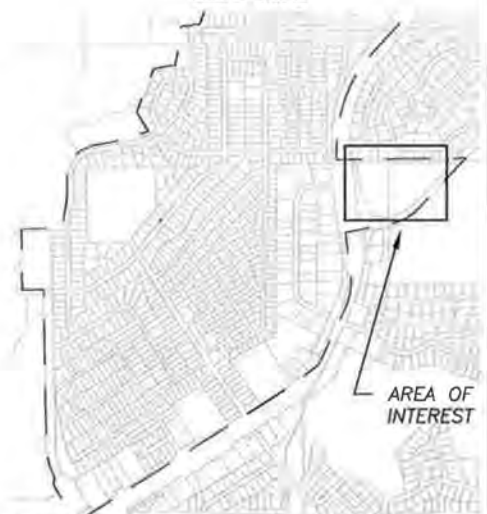


### LEGEND

	RIGHT OF WAY
	LOT LINE
	PUBLIC UTILITY EASEMENT
	TEMPORARY FENCING
	TEMPORARY FENCING
	BERM
	ROCK
	AERIAL FLOWLINE
	SURVEYED FLOW LINE
	INUNDATION AREA

APN	SEASONAL DISTURBANCE (SF)	STORM WATER INUNDATION
081-020-03	2,600	YES

### KEY MAP



COMMUNITY  
DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

MEYERS SEZ/ EC PROJECT  
USFS SPECIAL USE PERMIT 2016

PARCEL OF INTEREST  
APN 081-020-03

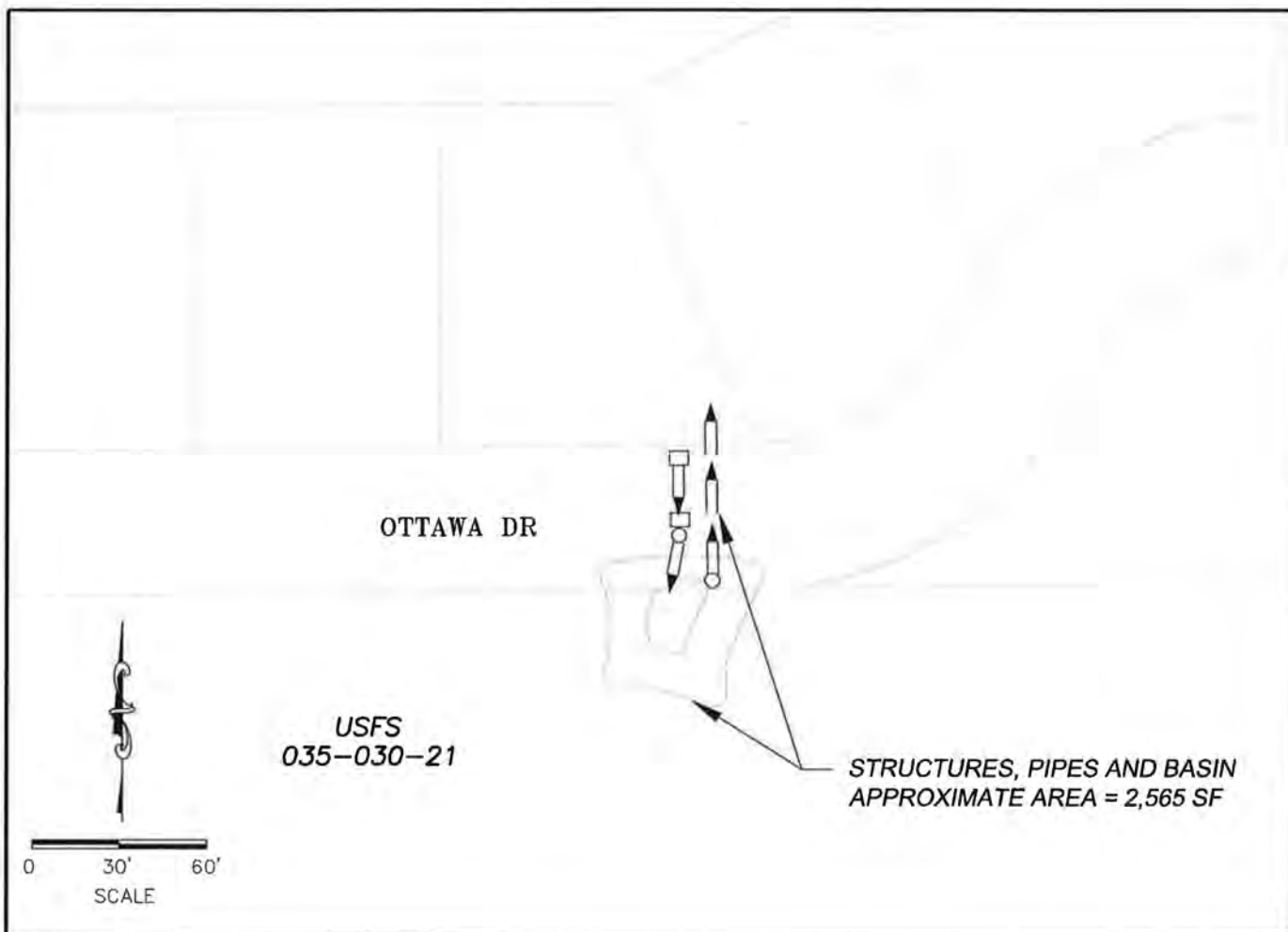
DATE: 07/16

PROJECT NO.: 95179

BY: DSP

EXHIBIT

**B-7**



## LEGEND



EXISTING CULVERT & FLOW DIRECTION  
EXISTING PROPERTY/RIGHT OF WAY LINE



EXISTING DRAIN INLET

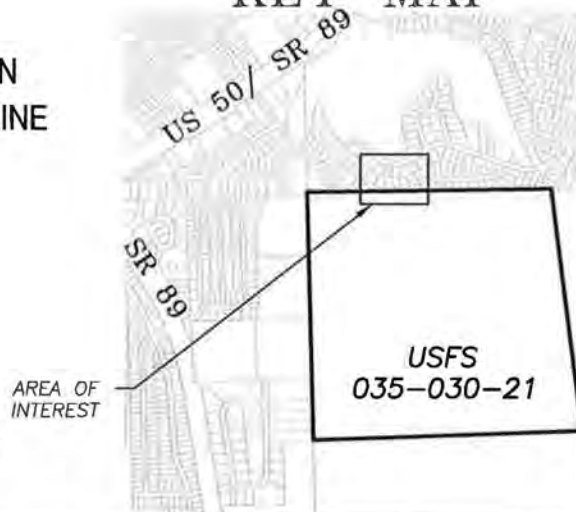


EXISTING SEDIMENT TRAP



EXISTING BASIN

## KEY MAP



NOTE: FOR PLANNING PURPOSES ONLY. ALL IMPROVEMENTS SHOWN ON EXHIBIT IS SCHEMATIC AND ARE NOT DRAWN TO SCALE. AREAS OF DISTURBANCE ARE PRELIMINARY AND ARE SUBJECT TO CHANGE.



COMMUNITY  
DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

USFS SPECIAL USE PERMIT

PARCELS OF INTEREST  
035-030-21

DATE: 4/2016

PROJECT NO.:

BY: DSP

EXHIBIT

B-8

**APPENDIX C4**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-  
LAHONTAN REGION**

**BOARD ORDER R6T-2017-0010**

**STATE OF CALIFORNIA**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**ORDER NO. R6T-2017-0010  
NPDES NO. CAG616001**

**RENEWED WASTE DISCHARGE REQUIREMENTS AND NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
FOR  
STORM WATER/URBAN RUNOFF DISCHARGES FROM EL DORADO  
COUNTY, PLACER COUNTY, AND THE CITY OF SOUTH LAKE TAHOE  
WITHIN THE LAKE TAHOE HYDROLOGIC UNIT**

**FINDINGS**

The California Regional Water Quality Control Board, Lahontan Region  
(hereinafter referred to as the Water Board) finds that:

**A. Discharger Information and Permit History**

1. The City of South Lake Tahoe (City), El Dorado County, and Placer County discharge storm water/urban runoff to surface waters of the Lake Tahoe Hydrologic Unit (LTHU). These discharges occur within various hydrologic sub-areas (watersheds) throughout the LTHU. The City, El Dorado County, and Placer County are considered Co-Permittees under this National Pollutant Discharge Elimination System (NPDES) Permit and are referred to collectively as "Permittees".
2. These Renewed Waste Discharge Requirements and NPDES Permit for Storm Water/Urban Runoff Discharges from El Dorado County, Placer County, and the City of South Lake Tahoe will be referred to throughout this Order as the "Permit."
3. Prior to issuance of this Permit, storm water discharges from the Permit Area were covered under Order No. R6T-2011-0101A1, originally adopted by the Water Board on December 6, 2011 and amended on October 10, 2012.

Previously, the discharges were regulated by Order No. R6T-2005-0026, adopted by the Water Board in 2005 which replaced Order No. 6-00-82, adopted by the Water Board in 2000.

4. The Permittees submitted Reports of Waste Discharge and preliminary Pollutant Load Reduction Plans in June 2016 requesting renewal of waste discharge requirements under the NPDES program to permit

storm water discharges from municipal storm collection, conveyance, and treatment facilities within their jurisdictions.

## **B. Permit Area**

1. The jurisdictional areas of the City, El Dorado County, and Placer County that fall within the LTHU are considered the "Permit Area." The Permittees are responsible for all storm water/urban runoff discharges in the Lake Tahoe watershed within the LTHU of their respective City and Counties except for runoff generated and conveyed through facilities owned, operated and maintained by federal, state, regional, or local entities where Permittees lack legal jurisdiction. The Water Board recognizes the permittees should not be held responsible for such facilities and/or discharges.

The Water Board will coordinate with the entities not named in this Permit that operate storm drain facilities and/ or discharge storm water to storm drains and receiving waters covered by this NPDES Permit to implement programs that are consistent with the requirements of this Permit.

2. Permittees should work cooperatively to control the contribution from pollutants from one jurisdiction to an adjacent jurisdiction through inter-agency agreements or other formal arrangements.

## **C. Nature of Discharge**

1. Municipal point source runoff discharges from urbanized areas remain a leading cause of impairment of California surface waters. Urban runoff contains wastes, as defined in the California Water Code, and pollutants, as defined in the federal Clean Water Act, and adversely affects the waters of the State and their designated beneficial uses. The most common pollutant categories in urban runoff within the LTHU include total suspended solids, sediment (due to anthropogenic activities); pathogens (e.g., bacteria, viruses, protozoa); nutrients (e.g., nitrogen and phosphorus); oxygen demanding substances (decaying vegetation, animal waste); oil, grease, and other petroleum hydrocarbons; and trash. In general, the pollutants found in municipal storm water runoff can harm human health and aquatic ecosystems.
2. In addition, the high volumes and high velocities of storm water discharged from municipal separate storm sewer systems (MS4s) into receiving waters can adversely impact aquatic ecosystems and stream habitat and cause stream bank erosion and physical modifications. These changes are collectively termed "hydromodification".

3. Lake Tahoe's deep water transparency, as measured by the Secchi disk, has been declining since transparency measurement began in the late 1960's. The Lake Tahoe TMDL Report (November 2010) identified elevated levels of very fine sediment (particles less than 16 microns) and increased algal growth rates as the causes of transparency loss. Consequently, the primary pollutants of concern for storm water treatment in the LTHU are the number of fine sediment particles (less than 16 microns) and the mass of nutrients that support algal growth (total nitrogen and total phosphorus).
4. One of the leading sources of very fine sediment particles is roadways. To enhance the safety of motorists in the winter months, the Permittees' winter roadway operations include the application of traction abrasive and deicing materials. If not properly applied and recovered, traction abrasives can be a significant source of the pollutants of concern.
5. Storm water runoff within the Permittees jurisdiction generally flows into pipes and open channels and often passes through pretreatment vaults, treatment basins, and other treatment structures before being discharged to surface waters or land. This Permit describes all storm water management infrastructure maintained by the Permittees as "collection, conveyance, and treatment facilities". For purposes of this Permit, collection, conveyance, and treatment facilities are synonymous with "municipal separate storm sewer systems" or MS4s.

**D. Federal, State and Regional Regulations**

1. The Water Quality Act of 1987 added § 402(p) to the Clean Water Act (CWA) (33U.S.C. § 1251-1387). This section requires the United States Environmental Protection Agency (U.S. EPA) to establish regulations setting forth NPDES requirements for storm water discharges in two phases.
  - a. U.S. EPA Phase I storm water regulations were directed at MS4s serving a population of 100,000 or more, and storm water discharges associated with ten categories of industrial activities, including construction activities disturbing more than five acres. In addition, municipalities whose storm water discharges contribute to violations of water quality standards or is a significant contributor of pollutants to waters of the United States may also be issued a NPDES permit under Phase I. Consequently, some MS4s that serve a population below 100,000, such as the Permittees, were brought into the Phase I program by NPDES permitting authorities. The Phase 1 regulations were published on November 16, 1990 (55 Fed. Reg. 47990).



- b. U.S. EPA Phase II storm water regulations are directed at storm water discharges not covered in Phase I, including small MS4s (population of less than 100,000) in urbanized areas, small construction projects (less than five acres, but greater than one acre), municipal facilities with delayed coverage under the Intermodal Surface Transportation Efficiency Act of 1991, and other discharges for which the U.S. EPA Administrator or the State determines that the storm water discharge contributes to a violation of a water quality standard, or is a significant contributor of pollutants to waters of the U.S. The Phase II Final Rule was published on December 8, 1999 (64 Fed. Reg. 68722).
2. The CWA allows the U.S. EPA to authorize states with an approved environmental regulatory program to administer the NPDES program in lieu of the U.S. EPA. The State of California is an authorized State. The Porter-Cologne Water Quality Control Act (California Water Code) authorizes the State Water Resources Control Board (State Water Board), through the Regional Water Boards, to regulate and control the discharge of wastes that could affect the quality of waters of the State, including waters of the United States, and tributaries thereto.
3. Under CWA § 303(d), States are required to identify a list of impaired water bodies and develop and implement Total Maximum Daily Loads (TMDLs) for these waterbodies (33 USC § 1313(d)(1)). Lake Tahoe is listed on the CWA § 303(d) impaired water bodies list. On November 16, 2010 the Water Board adopted an amendment to its Water Quality Control Plan to incorporate a TMDL for Lake Tahoe. The amendment was approved by the State Water Board on April 19, 2011 and the TMDL was approved by the U.S. EPA on August 17, 2011. The Basin Plan amendment established pollutant load reduction requirements for urban storm water discharges for fine sediment particles, total nitrogen, and total phosphorus. Permit Section IV incorporates approved load reduction requirements as effluent limits for municipal storm water discharges in the LTHU and requires the preparation of Pollutant Load Reduction Plans to meet established waste load reduction requirements.
4. This Permit does not constitute an unfunded local government mandate subject to subvention under Article XIIIB, Section (6) of the California Constitution for several reasons, including, but not limited to, the following.

First, the Permit does not impose a new program or higher level of service. This Permit continues the requirements of the 2011 permit largely unchanged, effectively continuing previously established TMDL

implementation requirements. The 2011 permit required the Permittees to meet the TMDL's load reduction requirements for all subsequent years based on updated baseline calculations, whether the requirements applied during or after the permit term. While the Permit establishes new interim targets for meeting the five-year load reductions, U.S. EPA and the Permittees agree the interim targets provide an effective means to track implementation progress and more effectively distribute the administrative burden associated with documenting load reduction progress. The interim targets (equal to one-half of the five-year load reductions required by the TMDL) will not require the Permittees to take actions they would not otherwise taken to comply with the TMDL targets. Established treatment facility and roadway assessment methods and targeted water quality sample collection provide a robust monitoring framework to align actual field conditions with modeled estimates. These modified requirements were developed in coordination with the State of Nevada, U.S. EPA and the Permittees, and are intended to be cost-neutral while more precisely representing progress toward improved Lake Tahoe's transparency and effectively protecting tributary water quality.

The Permit allows Permittees to establish inspection frequency for priority construction sites. Compared to the previous weekly inspection requirement, the new provision allows the Permittees to devote more resources to controlling discharges from the highest priority sites and provide an overall increase in the level of water quality protection without significantly increasing program costs.

Second, this Permit implements federally mandated requirements under CWA § 402, subdivision (p)(3)(B)(33 U.S.C. § 1342(p)(3)(B)). This includes federal requirements to (1) effectively prohibit non-storm water discharges; (2) reduce the discharge of pollutants to the maximum extent practicable by implementing management practices, control techniques, and system, design, and engineering methods; and (3) include such other provisions as the Administrator or the State determines appropriate for the control of such pollutants. The authority exercised under this Permit is not reserved state authority under the Clean Water Act's savings clause (cf. *Burbank v. State Water Resources Control Bd.* (2005) 35 Cal.4<sup>th</sup> 613, 627-628 [relying on 33 U.S.C. § 1370, which allows a state to develop requirements which are not "less stringent" than federal requirements]), but instead, is part of a federal mandate to develop pollutant reduction requirements for municipal separate storm sewer systems. To this extent, it is entirely federal authority that forms the legal basis to establish the permit provisions. (See, *City of Rancho Cucamonga v. Regional Water Quality Control Bd.-Santa Ana Region* (2006) 135 Cal.App.4<sup>th</sup> 1377,

1389; *Building Industry Ass'n of San Diego County v. State Water Resources Control Bd.* (2004) 124 Cal.App.4th 866, 882-883.)

Likewise, this Permit implements federally mandated requirements under 303(d) of the CWA and section 122.44(d)(1)(vii)(B) of the Code of Federal Regulations. Specifically, the provisions of this Permit to implement the Lake Tahoe TMDL are federal mandates. The CWA requires TMDLs to be developed for waterbodies that do not meet federal water quality standards (33 U.S.C. § 1313(d)). Once the U.S. EPA or a state develops a TMDL, federal law requires that permits must contain effluent limitations consistent with the assumptions and requirements of any applicable waste load allocation. (40 CFR 122.44(d)(1)(vii)(B)).

Third, the Permittees' obligations under this Permit are similar to, and in many respects less stringent than, the obligations of non-governmental dischargers who are issued NPDES permits for storm water discharges. With a few inapplicable exceptions, the Clean Water Act regulates the discharge of pollutants from point sources (33 U.S.C. § 1342) and the Porter-Cologne regulates the discharge of waste (Water Code, § 13263), both without regard to the source of the pollutant or waste. As a result, the "costs incurred by local agencies" to protect water quality reflect an overarching regulatory scheme that places similar requirements on governmental and nongovernmental dischargers. (See *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 57-58 [finding that comprehensive workers compensation scheme did not create a cost for local agencies that was subject to state subvention].)

The Clean Water Act and the Porter-Cologne Water Quality Control Act largely regulate storm water with an even hand, but to the extent there is any relaxation of this even-handed regulation, it is in favor of the local agencies. Except for municipal separate storm sewer systems, the Clean Water Act requires point source dischargers, including discharges of storm water associated with industrial or construction activity, to comply strictly with water quality standards. (33 U.S.C. § 1311(b)(1)(C), *Defenders of Wildlife v. Browner* (1999) 191 F.3d 1159, 1164-1165 [noting that industrial storm water discharges must strictly comply with water quality standards].) As discussed in prior State Water Resources Control Board decisions, in many respects this Permit does not require strict compliance with water quality standards. (SWRCB Order No. WQ 2001-15, p. 7.) The Permit, therefore, regulates the discharge of waste in municipal storm water more leniently than the discharge of waste from non-governmental sources.

Fourth, the Permittees have the authority to levy service charges, fees, or assessments sufficient to pay for compliance with this Order subject

to certain voting requirements contained in the California Constitution. (See California Constitution XIII D, section 6, subdivision (c); see also *Howard Jarvis Taxpayers Association v. City of Salinas* (2002) 98 Cal. App. 4th 1351, 1358-1359.). The ability of a local agency to defray the cost of a program without raising taxes indicates that a program does not entail a cost subject to subvention. (*County of Fresno v. State of California* (1991) 53 Cal.3d 482, 487-488.)

Fifth, the Permittees have requested permit coverage in lieu of compliance with the complete prohibition against the discharge of pollutants contained in federal Clean Water Act section 301, subdivision (a) (33 U.S.C. § 1311(a)). To the extent that the local agencies have voluntarily availed themselves of the permit, the program is not a state mandate. (Accord *County of San Diego v. State of California* (1997) 15 Cal.4th 68, 107-108.) The local agencies' voluntary decision to file a report of waste discharge proposing a program based permit is a voluntary decision not subject to subvention. (See *Environmental Defense Center v. USEPA* (9th Cir. 2003) 344 F.3d 832, 845-848.)

Sixth, the local agencies' responsibility for preventing discharges of waste that can create conditions of pollution or nuisance from conveyances that are within their ownership or control under state law predates the enactment of Article XIII B, Section (6) of the California Constitution.

5. The Water Board adopted a Water Quality Control Plan (Basin Plan) for the Lahontan Region on March 31, 1995. The Basin Plan specifies the beneficial uses of water bodies within the LTHU and contains both narrative and numerical water quality objectives for these waters. The following beneficial uses identified in the Basin Plan apply to all watersheds covered by this Permit:
  - a. Municipal and domestic supply,
  - b. Agricultural supply,
  - c. Water contact recreation,
  - d. Non-contact water recreation,
  - e. Ground water recharge,
  - f. Freshwater replenishment,
  - g. Navigation,
  - h. Commercial and sport fishing,
  - i. Cold freshwater habitat,
  - j. Wildlife habitat,
  - k. Preservation of biological habitats of special significance,
  - l. Rare, threatened, or endangered species,
  - m. Migration of aquatic organisms,
  - n. Spawning, reproduction, and development,

- o. Water quality enhancement, and
  - p. Flood peak attenuation/flood water storage
6. State Water Board Resolution No. 68-16 contains the state Antidegradation Policy, titled "Statement of Policy with Respect to Maintaining High Quality Waters in California" (Resolution 68-16), which applies to all waters of the state, including ground waters of the state, whose quality meets or exceeds (is better than) water quality objectives. Resolution No. 68-16 is considered to incorporate the federal Antidegradation Policy (40 CFR131.12) where the federal policy applies, (State Water Board Order WQO 86-17). Administrative policies that implement both federal and state antidegradation policies acknowledge that an activity that results in a minor water quality lowering, even if incrementally small, can result in violation of Antidegradation Policies through cumulative effects, for example, when the waste is a cumulative, persistent, or bioaccumulative pollutant.

Federal Antidegradation Policy (40 CFR131.12) states that the State shall develop and adopt a statewide antidegradation policy and identify the methods for implementing such policy pursuant to this subpart. The antidegradation policy and implementation methods shall, at a minimum, be consistent with the following:

- a. Existing instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected.
- b. Where the quality of the waters exceed levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the State finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the State's continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. In allowing such degradation or lower water quality, the State shall assure water quality adequate to protect existing uses fully.
- c. Where high quality waters constitute an outstanding National resource, including waters of exceptional recreational or ecological significance like Lake Tahoe, that water quality shall be maintained and protected.

The proposed Permit requirements are consistent with both state and federal antidegradation policies. Permittees storm water management and pollutant load reduction plan actions will reduce pollutant loading

to Lake Tahoe consistent with established TMDL requirements to maintain and improve water quality.

7. The requirements in this Permit may be more specific or detailed than those enumerated in federal regulations under 40 CFR122.26 or in U.S. EPA guidance. However, the requirements have been designed to implement and be consistent with the federal statutory mandates described in CWA § 402(p)(3)(B)(ii) and (iii) and the related federal regulations and to implement the TMDL for Lake Tahoe through the implementation of the pollutant load reduction requirements for urban storm water discharges for fine sediment particles, total nitrogen, and total phosphorus. Consistent with federal law, all of the conditions in this permit could have been included in a permit adopted by U.S. EPA in the absence of the in lieu authority of California to issue NPDES permits.
8. On April 7, 2015 the State Water Board adopted an Amendment to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries that added "Final Part 1 Trash Provisions" (Trash Amendments). The Trash Amendments require the Water Board to implement these new provisions through NPDES permits issued pursuant to Federal Clean Water Act section 402(p), including this Permit. The Trash Amendments give the Water Board two options for implementation, either of which must commence within 18 months of the Trash Amendments' effective date, December 2, 2015:
  - a. Modify, re-issue, or adopt NPDES permits to add requirements to implement the Trash Amendments. Within three months of the effective date of the applicable permit, Permittees must select from the Trash Amendments' two methods of compliance and notify the Water Board of its selection.
  - b. Issue orders pursuant to Water Code section 13267 or 13383 requiring each Permittee to submit, within three months from receipt of the orders, written notice to the Water Board selecting from the Trash Amendments' two methods of compliance.

The Water Board intends to implement the Trash Amendments pursuant to Option b, above. The effective date of this Permit therefore does not trigger a three-month deadline for Permittees to notify the Water Board of a compliance method under the Trash Amendments.

#### **E. Storm Water Management Programs**

1. Previous Permits required the Permittees to develop and implement comprehensive, activity-based storm water management programs

that include construction, commercial, industrial, and residential site controls coupled with a facilities inspection program and thorough public outreach and education plans.

2. Previously submitted Storm Water Management Plans adequately describe Permittees' programs and associated control measures. Although there is no current need to revise the previously submitted plans, Permittees may need to make programmatic adjustments to reflect future conditions.

**F. Total Maximum Daily Loads – Lake Tahoe**

1. On November 16, 2010 the Water Board adopted Resolution R6T-2010-0058, amending the Basin Plan to incorporate the Total Maximum Daily Load (TMDL) for sediment and nutrients for Lake Tahoe to restore Lake Tahoe to meet the lake's deep water transparency water quality objective. The TMDL identified pollutant loads by source category, set load allocations at a basin-wide scale, and identified an implementation plan for achieving needed sediment and nutrient load reductions.
2. The approved Basin Plan amendment requires the Permittees and the California Department of Transportation (CalTrans) to meet pollutant load reduction requirements specified by the Lake Tahoe TMDL. Pollutant load allocation tables are included in Attachment B of this Permit. The Basin Plan acknowledges that these agencies will likely consider a variety of alternative treatment options, roadway operations practices, and local ordinances to reduce average annual pollutant loads to meet load reduction requirements.
3. The Permit incorporates numeric and narrative effluent limitations consistent with 40 CFR 122.44(d) that implement Lake Tahoe TMDL pollutant load reduction requirements. The approved Basin Plan amendment replaced some of the concentration-based storm water effluent limits with effluent limits expressed as annual average pollutant load reduction requirements for the primary pollutants of concern.
4. The Basin Plan amendment and the Lake Tahoe TMDL require Lake Tahoe basin municipalities and CalTrans to develop and implement comprehensive Pollutant Load Reduction Plans (PLRPs) to describe how proposed operations and maintenance activities, capital improvements, facilities retrofit projects, ordinance enforcement, and other actions are expected to meet required pollutant load reduction requirements. PLRPs provide the Permittees the opportunity to prioritize pollutant load reduction efforts and target sub-watersheds that generate the highest annual average pollutant loads.

5. Permittees have primarily relied upon state and federal grant sources to fund water quality improvement infrastructure programs and generally use in-house resources for water quality operations and maintenance practices. As of December 2016 there are fewer grant funds available and economic conditions have negatively impacted local government budgets. Consequently, Permittees need to (1) effectively prioritize future infrastructure and operations and maintenance actions to maximize pollutant load reductions that can be achieved with available funding; and (2) work to establish dedicated storm water program revenue sources.
6. The Water Board developed the Lake Clarity Crediting Program (see Attachment D) to establish protocols for accounting and tracking pollutant load reductions within the urban environment.
7. The Lake Tahoe TMDL baseline pollutant loading and load reduction requirements are provided as average annual estimates. For consistency with the TMDL requirements, the Lake Clarity Crediting Program uses average annual pollutant load estimates generated by numeric models. Verification of field conditions and water quality monitoring are needed to ensure that on-the-ground, measured variables are in line with model input parameters and that measured pollutant loading is consistent with modeled estimates.
8. Prior to previous Permit adoption, the Permittees developed jurisdiction-specific baseline load estimates for the Lake Tahoe TMDL pollutants of concern. The submitted baseline pollutant load estimates provided the basis for translating percentage based pollutant load reduction requirements defined by the TMDL into jurisdiction-specific, particle and mass-based pollutant load reduction requirements.
9. The modeling tool used to initially estimate baseline pollutant loads was refined as part of a stakeholder-driven TMDL tool improvement process. A revised model was released in May 2015. The Permittees have used the revised model (Pollutant Load Reduction Model Version 2.1) to update the previously developed jurisdiction-specific fine sediment particle, total nitrogen, and total phosphorus baseline load estimates.
10. The Lake Tahoe TMDL requires new development and re-development project proponents and private property retrofit efforts to first consider opportunities to infiltrate storm water runoff from impervious surfaces. At a minimum, permanent storm water infiltration facilities must be designed and constructed to infiltrate runoff generated by the 20 year, 1-hour storm, which equates to approximately one inch of runoff over



all impervious surfaces during a 1-hour period. Infiltrating runoff volumes generated by the 20 year, 1-hour storm may not be possible in some locations due to shallow depth to seasonal groundwater levels, unfavorable soil conditions, or other site constraints such as existing infrastructure or rock outcroppings. In the event that site constraints prohibit opportunities to infiltrate the runoff volume generated by a 20 year, 1-hour storm, project proponents must either (1) meet the numeric effluent limits contained in Basin Plan Table 5.6-1, or (2) document coordination with one of the Permittees or CalTrans to demonstrate that storm water treatment facilities treating private property discharges and public right-of-way storm water are sufficient to meet the Permittees' or CalTrans'; average annual fine sediment and nutrient load reduction requirements.

11. The Basin Plan amendment and the Lake Tahoe TMDL require municipalities to demonstrate on a catchment (i.e. sub-watershed) basis that no increased loading in fine sediment particle, total nitrogen, and total phosphorus will result from any land-disturbing activity permitted in the catchment. The permit includes a narrative effluent limitation to implement this provision.

12. The Basin Plan amendment recognizes the need for a comprehensive program to adaptively manage the Lake Tahoe TMDL program. Future research and monitoring findings, coupled with implementation experience and fiscal realities, may cause the Water Board to revisit the Lake Tahoe TMDL and associated regulatory activities. The Lake Tahoe TMDL Management System provides the framework for synthesizing and reporting new information and for identifying the need for policy changes.

The Basin Plan amendment further acknowledges the need for adaptive management of the Lake Tahoe TMDL program by explicitly stating "should funding and implementation constraints impact the ability to meet the load reduction milestones, the Regional Board will consider amending the implementation plan and load reduction schedules."

#### **G. Public Notification**

1. The issuance of waste discharge requirements pursuant to California Water Code section 13370 et seq. is exempt from the California Environmental Quality Act in accordance with California Water Code section 13389. *County of Los Angeles et al., v. California Water Boards et al.*, (2006), 143 Cal.App.4th 985.

2. The Water Board has notified the Permittees, and interested agencies and persons of its intent to issue waste discharge requirements for this discharge, and has provided them with an opportunity to make statements and submit their comments.
3. This Permit shall serve as a NPDES permit, pursuant to CWA § 402, and shall take effect 90 days from Order adoption date provided the Regional Administrator of the U.S. EPA has no objections.
4. Pursuant to Cal. Water Code § 13320, any aggrieved party may seek review of this Permit by filing a petition with the State Board within 30 days of the date of adoption of the Permit by the Regional Water Board. A petition must be sent to:

State Water Resources Control Board  
Office of the Chief Counsel  
P.O. Box 100  
Sacramento, CA 95812-0100

5. This Permit may be modified or alternatively revoked or reissued prior to its expiration date or any administrative extension thereto, in accordance with 40 CFR 122.41(f) and 122.62.

**IT IS HEREBY ORDERED** that Order No. R6T-2011-0101A is rescinded, and to meet the provisions contained in Division 7 of the Cal. Water Code and regulations adopted thereunder, and the provisions of the CWA and regulations adopted thereunder, the Permittees shall comply with the following:

**I. Non-Storm Water Discharges**

- A. The Permittees shall, within their respective jurisdictions, effectively prohibit non-storm water discharges into its collection, conveyance, and treatment facilities and receiving waters, except where such discharges:
  1. Originate from a State, Federal, or other source for which they are pre-empted from regulating by State or Federal law; or
  2. Are covered by a separate individual or general NPDES permit, or conditional waivers; or
  3. Flows from firefighting activities.
- B. Pursuant to 40 CFR 122.26(d)(2)(iv)(B)(1) the following categories of non-storm water discharges need only be prohibited from entering the Permittees storm water collection, conveyance, and treatment facilities and receiving waters if such categories of discharges are identified by the Permittee (in its

SWMP) as a source of pollutants to waters of the United States and the State of California:

1. Waterline flushing
2. Landscape irrigation
3. Diverted stream flows
4. Rising groundwater
5. Uncontaminated groundwater infiltration [as defined by 40 CFR 35.2005(20)]
6. Uncontaminated pumped groundwater
7. Discharges from potable water sources
8. Fountain drains
9. Air conditioning condensation
10. Irrigation water
11. Springs
12. Water from crawl space pumps
13. Footing drains
14. Individual residential car washing
15. Flows from riparian habitats and wetlands
16. Dechlorinated swimming pool and spa discharges

C. When a non-storm water discharge category listed above is identified as a source of pollutants to waters of the State, Permittees shall either:

1. Prohibit the discharge category from entering its storm water collection, conveyance, and treatment system; or
2. Authorize the discharge category and require implementation of appropriate or additional Best Management Practices to ensure that the discharge will not be a source of pollutants; or
3. Require or obtain coverage under separate Regional or State Water Board permit for the discharge.

## **II. Other Prohibitions**

- A. Unless specifically granted, authorization pursuant to this Permit does not constitute an exemption to applicable discharge prohibitions prescribed in the Basin Plan.
- B. Discharges from the Permittees' collection, conveyance, and treatment facilities that cause or contribute to a violation of narrative or numeric water quality standards or objectives, as listed in Attachment E and F, are prohibited.

- C. Discharges from the Permittees' collection, conveyance, and treatment facilities shall not cause or contribute to a condition of nuisance.
- D. Storm water discharges regulated by this Permit shall not contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.
- E. The removal of vegetation or disturbance of ground surface conditions between October 15 of any year and May 1 of the following year is prohibited. Where it can be shown that granting a variance would not cause or contribute to the degradation of water quality, a variance to the dates stated above may be granted in writing by the Executive Officer.
- F. The discharge attributable to human activities of any waste or deleterious material to surface waters of the LTHU is prohibited.
- G. The discharge attributable to human activities of any waste or deleterious material to lands below the high-water rim of Lake Tahoe or within the 100-year floodplain of any tributary to Lake Tahoe is prohibited.
- H. The discharge attributable to human activities of any waste or deleterious material to Stream Environment Zones (SEZs) in the LTHU is prohibited.
- I. Waste discharge prohibitions in this Section do not apply to discharges of storm water when wastes in the discharge are controlled through the application of management practices or other means and the discharge does not cause a violation of water quality objectives.

### **III. Storm Water Program Implementation**

#### **A. Legal Authority**

- 1. Permittees shall maintain adequate legal authority to:
  - a. Prohibit illicit connections and illicit discharges to its collection, conveyance, and treatment facilities,
  - b. Prohibit the discharge of non-storm water to the Permittees' storm water collection, conveyance, and treatment facilities.
  - c. Control through interagency agreement, the contribution of pollutants from one municipal jurisdiction to another
  - d. Require persons within their jurisdiction to comply with conditions in the Permittees' ordinances, permits, or orders (i.e. hold dischargers to

its collection, conveyance, and treatment facilities accountable for their contributions of pollutants and flows)

- e. Remove illicit connections to public storm water collection, conveyance, and treatment facilities
  - f. Control the discharge of spills, dumping, or material disposal other than storm water to public storm water collection, conveyance, and treatment facilities
  - g. Utilize enforcement measures (e.g., stop work orders, notice of violations, fines, referral to City, County, and/ or District Attorneys, etc.) by ordinances, permits, contracts, orders, administrative authority, and civil and criminal prosecution to enforce Permit requirements
  - h. Control the quality of storm water runoff from industrial and construction sites
  - i. Carry out all inspections, surveillance and monitoring procedures necessary to determine compliance and non-compliance with permit conditions including the prohibition on illicit discharges.
  - j. Require the use of control measures to prevent or reduce the discharge of pollutants to the maximum extent practicable.
2. No later than **March 15, 2018** each Permittee shall submit a statement certified by its legal counsel confirming the Permittee possesses all necessary legal authority to comply with this Permit. The statement shall include:
- a. Identification of all departments within the jurisdiction that conduct urban runoff related activities and their roles and responsibilities under this Order.
  - b. Citation of urban runoff related ordinances and the reasons they are enforceable.
  - c. Identification of the local administrative and legal procedures available to mandate compliance with urban runoff related ordinances.
  - d. Description of how these ordinances or other legal mechanisms are implemented and actions taken can be appealed.
  - e. Description of how the municipality can issue administrative orders and injunctions, or if it must go through the court system for enforcement actions.

**B. Storm Water Management Program**

Federal Regulations (40 CFR 122.26(d)(2)(iv)) require the Permittees to develop and implement a Storm Water Management Program (SWMP) during the term of this Order. Each Permittee shall maintain and implement a SWMP to include components 1-9 below.

**1. Construction Component**

Each Permittee shall implement a Construction Component of its SWMP to reduce pollutants in runoff from construction sites that involve more than three cubic yards of soil disturbance during all construction phases. The SWMP shall include a description of procedures for identifying inspection priorities and enforcing control measures. At a minimum the construction component shall address the following:

**a. Construction Site Inventory**

Permittees shall develop and update, at least annually, a complete inventory of construction sites within its jurisdiction that involve more than three cubic yards of soil disturbance. This requirement is applicable to all construction sites regardless of whether the construction site is subject to the Water Board's General Construction Permit (Order R6T-2016-0010). The use of a Geographical Information System (GIS) database is highly recommended, but not required.

**b. Construction Site Outreach**

Permittees shall conduct construction site outreach efforts that include, at a minimum, measures to educate construction site operators about local ordinance and other regulatory requirements and applicable enforcement mechanisms prior to construction commencement.

**c. Construction Site Prioritization and Inspection**

Permittees shall develop a prioritization process for its watershed-based inventory (developed pursuant to III.B.1.a above) by threat to water quality. Each construction site shall be classified as a high, medium, or low threat to water quality. In evaluating threat to water quality each Permittee shall consider (1) the magnitude of fine sediment particle discharge potential; (2) site slope; (3) project size and type; (4) stage of construction; (5) proximity and connectivity to

receiving water bodies; and (6) any other factors the Permittee deems relevant.

Each Permittee shall conduct construction site inspections for compliance with its ordinances (grading, storm water, etc.), permits (construction, grading, etc.), and discharge prohibitions contained in this Permit in accordance with Section II.B of the Monitoring and Reporting Program (Attachment C). Inspections shall include review of site erosion control and BMP implementation plans. Inspection frequencies and priorities shall be determined by the threat to water quality prioritization.

d. Construction Site Enforcement

Permittees shall enforce their storm water ordinances and other regulatory mechanisms for all construction sites to maintain compliance with local ordinances and discharge prohibitions contained in this Permit. Permittees shall document any non-compliance with Permit or ordinance requirements and report identified compliance issues as part of their Annual Report as described under Section IV.C of the Monitoring and Reporting Program (Attachment C).

Each Permittee shall follow up on identified compliance issues and take actions necessary for construction sites to comply with Permit requirements.

e. Oversight by Others

Permittees may make use of construction site outreach, inspection, and enforcement actions taken by other responsible agencies (such as the Tahoe Regional Planning Agency or the Water Board). If a Permittee chooses to use the efforts of other agencies to meet Permit requirements, Permittees must provide detailed documentation of the outreach, inspection, and/or enforcement action taken by others.

2. Commercial, Industrial, Municipal and Residential Component

Each Permittee shall implement SWMP elements to reduce, to the maximum extent practicable, pollutants in runoff from commercial, industrial, municipal, and residential properties within its jurisdiction. The purpose of this component is to identify potential pollutant sources, prioritize existing or potential water quality threats associated with different land uses, and provide outreach, education, and

enforcement measures to reduce and/or eliminate storm water pollution from these sources.

a. Commercial, Industrial, and Municipal Site Inventory and Prioritization

Each Permittee shall develop and annually update an inventory of high priority commercial, industrial, and municipal activities and pollutant sources. The high priority commercial, industrial, and municipal site inventory shall consider including the following business types and activities:

- (1) Automobile mechanical repair, maintenance, or cleaning;
- (2) Automobile and other vehicle body repair or painting;
- (3) Retail or wholesale fueling;
- (4) Eating or drinking establishments;
- (5) Mobile carpet, drape or furniture cleaning;
- (6) Concrete mixing or cutting;
- (7) Painting and coating;
- (8) Mobile pool and spa cleaning;
- (9) Snow removal and storage activities;
- (10) Parking areas with more than 30 parking spaces;
- (11) Off-pavement parking and storage yards;
- (12) Municipal maintenance yards.

The use of a Geographical Information System (GIS) database is highly recommended, but not required.

b. Commercial, Industrial, and Municipal Site Outreach

Permittee outreach efforts shall include, at a minimum, educating commercial, industrial, and municipal site operators about local ordinances and other regulatory measure and associated tiered enforcement mechanisms applicable to commercial, industrial, or municipal site runoff problems.

c. Commercial, Industrial, and Municipal Site Inspections

Each Permittee shall implement a program to inspect high priority commercial, industrial, and municipal sites at least once per year in accordance with Section II.C of the Monitoring and Reporting Program (Attachment C).



d. Commercial, Industrial, and Municipal Site Enforcement

Permittees shall enforce their storm water ordinances and other regulatory mechanisms for all commercial, industrial, and municipal sites to maintain compliance with applicable local ordinances and discharge prohibitions contained in this Permit. Permittees shall document any non-compliance with ordinance and/or Permit requirements and report inspection findings as part of their Annual Report as described under Section IV.D of the Monitoring and Reporting Program (Attachment C).

Each Permittee shall follow up on inspection findings and take actions necessary for commercial, industrial, and municipal sites to comply with Permit and local ordinance requirements.

e. Oversight by Others

Permittees may make use of commercial and industrial site outreach, inspection, and enforcement actions taken by other responsible agencies (such as the Tahoe Regional Planning Agency or the Water Board). If a Permittee chooses to use the efforts of other agencies to meet Permit requirements, Permittees must provide detailed documentation of the outreach, inspection, and/or enforcement action taken by others.

f. Residential Property – Outreach and Education

Each Permittee shall identify high priority residential areas and activities continue to implement targeted outreach and education activities. These areas/activities should include:

- (1) Automobile repair and maintenance;
- (2) Off-pavement automobile parking;
- (3) Home and garden care activities and product use (pesticides, herbicides, and fertilizers);
- (4) Disposal of household hazardous waste (e.g., paints, cleaning products);
- (5) Snow removal activities

Outreach program should include coordination with other Lake Tahoe Basin agencies involved with BMP implementation, including but not limited to the Tahoe Resource Conservation District and the Tahoe Regional Planning Agency Erosion Control Team.

### 3. Storm Water Facilities Inspection Component

Each Permittee shall develop and implement an inspection program to assess the condition of its storm water collection, conveyance and treatment facilities and identify maintenance needs on a catchment, or sub-watershed basis in accordance with the following requirements, and Section II.A of the Monitoring and Reporting Program (Attachment C).

- a. Each Permittee shall inspect its storm water collection, conveyance and treatment systems at least once annually and maintain a database of inspection findings.
- b. As part of its storm water collection, conveyance, and treatment system inspections, each Permittee shall evaluate and identify potential pollutant sources including but not limited to: private property/residential runoff, commercial site runoff, eroding cut slopes, eroding road shoulders, intercepted groundwater discharges, excessive traction abrasive application, and construction site tracking.
- c. Each Permittee shall document and prioritize identified maintenance needs and perform needed maintenance to ensure storm water systems effectively collect, convey, and treat urban runoff as designed.

### 4. Illicit Discharge Detection and Elimination Component

Permittees shall implement an Illicit Discharge Detection and Elimination Component containing measures to actively seek and eliminate illicit discharges and connections. At a minimum the Illicit Discharge Detection and Elimination Component shall include the following elements:

- a. Each Permittee shall visually inspect all storm water collection, conveyance, and treatment systems at least once annually as described in Section II.A of the Monitoring and Reporting Program (Attachment C) for evidence of illicit discharges, illicit connections, or other sources of non-storm water discharges.
- b. Each Permittee shall establish and implement a program to investigate and inspect any portion of the storm water collection and conveyance system that indicates a reasonable potential for illicit discharges, illicit connections, or other sources of non-storm water. Each Permittee shall establish criteria to identify portions of the system where follow-up investigations are needed to determine

whether illicit discharges, illicit connections, or other sources of non-storm water have occurred or are likely to occur.

- c. Each Permittee shall implement and enforce its ordinances, orders, or other legal authority or regulatory mechanism to prevent and eliminate illicit discharges and connections to its storm water collection and conveyance system.
- d. Each Permittee shall promote, publicize and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from its storm water collection and conveyance system. Each Permittee shall facilitate public reporting through development and operation of a public hotline. Public hotlines can be Permittee-specific or shared by Permittees. All storm water hotlines should be capable of receiving reports in both English and Spanish 24 hours per day, seven days per week. Permittees shall respond to and resolve each reported incident. Each Permittee shall keep a record of all reported incidents and how each was resolved.

5. New Development and Redevelopment Component

For new development and redevelopment projects, Permittees shall require project proponents to incorporate permanent storm water treatment facilities that are designed to infiltrate, at a minimum, runoff generated by the 20 year, 1-hour storm, or approximately one inch of runoff over all impervious surfaces during a 1-hour period.

If infiltrating the entire volume of the 20 year, 1-hour storm is not possible at a given new development or redevelopment site, the Permittee shall require project proponents to infiltrate as much runoff as possible and either:

- a. Document how the project proponent will treat runoff to meet the numeric effluent limits described in Table III.B.1 below; or
- b. Document coordination with the project proponent to demonstrate that shared storm water treatment facilities treating private property discharges and public right-of-way storm water are sufficient to meet the municipality's average annual fine sediment and nutrient load reduction requirements described in Section IV.B of this Permit.

Table III.B.1 – Numeric effluent limits for runoff discharges

<u>Constituent</u>	<u>Units</u>	<u>Land Treatment/ Infiltration Systems</u>	<u>Surface Waters</u>
Total Nitrogen	mg/L as N	5.0	0.5
Total Phosphorus	mg/L as P	1.0	0.1
Turbidity	NTU	200	20
Oil and Grease	mg/L	40	2.0
Total Iron	mg/L	4.0	0.5

#### 6. Public Education Component

Permittees shall implement a public education program using any appropriate media to increase the community's knowledge of the effect of urban runoff on surface waters and the measures the public can take to help control storm water pollution and encourage behavior to reduce pollutant discharges.

#### 7. Municipal Personnel Training and Education Component

Permittees shall ensure that all municipal personnel and contractors responsible for implementing Permit requirements, for operating municipal facilities covered under Section III.B.2 of this Permit, and for conducting inspections required under Section III.B1-5 of this Permit are adequately trained and educated to perform such tasks.

#### 8. Fiscal Analysis

Each Permittee shall conduct a fiscal analysis of its urban runoff management program in its entirety, including development and implementation of both SWMP and Pollutant Load Reduction Plans (IV.C below), along with operations and maintenances costs. Such analysis shall include a description of the source(s) of funds that are proposed to meet the necessary expenditures, including legal restrictions on the use of such funds.

### **IV. Lake Tahoe Total Maximum Daily Load Implementation – Pollutant Load Reduction Requirements**

#### A. Baseline Pollutant Loads

The Lake Tahoe TMDL expresses waste load allocations for the urban upland source, including discharges from the Permittee's municipal storm water collection, conveyance, and treatment facilities, as percent reductions from a basin-wide baseline load. The baseline basin-wide pollutant loads for the

TMDL reflect conditions as of water year 2003/2004 (October 1, 2003 – September 30, 2004), hereafter referred to as “baseline”.

To translate basin-wide urban runoff load reduction requirements into jurisdiction-specific load reduction requirements, the Permittees have conducted jurisdiction-scale baseline load analyses using the most up-to-date version of the Pollutant Load Reduction Model (Version 2.1). The submitted baseline pollutant load estimates are the basis for the particle number- and mass-based effluent limits in this Permit (Table IV.B.1).

Permittees may gather additional information in the future to enhance the accuracy of the baseline load analysis. Similarly, numeric models used to estimate pollutant loads may be improved over time. Should a Permittee determine that updated load estimation tools or other information are expected to change its baseline pollutant load estimate, they may request the Water Board amend its baseline load estimate. Requests for baseline load estimate amendment must include a description of any new information informing the estimate, the magnitude of the proposed adjustment, and a discussion of how the baseline load estimate adjustment will (or will not) change the Permittees Pollutant Load Reduction Plan.

#### B. Pollutant Load Reduction Requirements and Water Quality-Based Effluent Limits

For the second five-year TMDL milestone, jurisdiction-specific waste load reduction requirements, incorporated into this Permit as average annual particle number- and mass-based effluent limits (Table IV.B.1), are calculated by multiplying the percent reduction specified for the urban uplands source category for each pollutant by each jurisdiction's individual baseline load.

Each jurisdiction must reduce fine sediment particle (FSP), total phosphorus (TP), and total nitrogen (TN) loads by 21%, 14%, and 14%, respectively, by **September 30, 2020**.

**Table IV.B.1 – Maximum average annual particle number- and mass-based effluent limits for Fine Sediment Particles (FSP) Total Phosphorus (TP) and Total Nitrogen (TN) to meet the second five-year TMDL milestone**

Jurisdiction	Baseline FSP (# of particles)	FSP Allowable Load	Baseline TP (lbs/year)	TP Allowable Load	Baseline TN (lbs/year)	TN Allowable Load
El Dorado County	1.63E19	1.29E19	1,170	1,006	4,170	3,586
Placer County	2.64E19	2.09E19	2,280	1,961	8,860	7620
City of South Lake Tahoe	2.44E19	1.93E19	2,063	1,774	8,185	7039

Pollutant load reductions shall be measured in accordance with the processes outlined in the Lake Clarity Crediting Program Handbook (Attachment D). To demonstrate compliance with the average annual fine sediment particle pollutant load reduction requirements outlined in Table IV.B.1, each Permittee must earn and maintain Lake Clarity Credits in accordance with Table IV.B.2 for the 2020 water year (October 1, 2019 - September 30, 2020), and for subsequent water years.

To demonstrate interim progress at achieving required pollutant load reductions, each Permittee shall earn and maintain enough Lake Clarity Credits to demonstrate a 15% FSP reduction as specified in Table IV.B.2 below by **September 30, 2018** and for subsequent water years.

**Table IV.B.2 – Minimum Lake Clarity Credit Requirements**

Jurisdiction	Interim Lake Clarity Credit* Requirement (Sept. 30, 2018)	Second 5-year Lake Clarity Credit* Requirement (Sept. 30, 2020)
El Dorado County	245	342
Placer County	396	554
City of South Lake Tahoe	372	521

\*The Lake Clarity Crediting Program Handbook defines one (1) Lake Clarity Credit as equal to  $1.0 \times 10^{16}$  fine sediment particles with a diameter less than 16 micrometers

To ultimately achieve the deep water transparency standard, Permittees shall reduce FSP, TP, and TN loading according to the requirements in the Lake Tahoe TMDL outlined for the "Urban Upland" pollutant source (Attachment B). In accordance with the TMDL, incremental pollutant load reductions will result in attaining the deep water transparency standard by the year 2076.

#### C. Pollutant Load Reduction Plans

Each Permittee shall update previously submitted Pollutant Load Reduction Plans (PLRPs) to describe how it expects to meet the pollutant load reduction requirements described in Section IV.B above. Permittees shall submit an updated plan no later than **March 15, 2018** that shall include, at a minimum, the following elements:

##### 1. Catchment registration schedule

Each PLRP shall include a list of catchments and/or roadway areas the Permittee plans to register pursuant to the Lake Clarity Crediting Program (see Attachment D) to meet load reduction requirements.

2. Proposed pollutant control measures

For each proposed registered area, the Permittees shall describe storm water program activities to reduce fine sediment particle, total phosphorus, and total nitrogen loading.

3. Pollutant load reduction estimates

For each proposed registered area, Permittees shall provide estimates of both baseline pollutant loading and expected pollutant loading to demonstrate that proposed actions will, over the course of this Permit term, reduce the Permittee's jurisdiction-wide pollutant load by the amounts specified in Section IV.B above.

4. Annual adaptive management

The PLRP shall include a description of the internal process and procedures to annually assess storm water management activities and associated load reduction progress. The adaptive management discussion shall describe how the Permittee will use information from the previous years' monitoring and implementation efforts to make needed adjustments to ensure compliance with the load reduction requirements specified in Section IV.B.

D. Land Use Changes and Management Practices

If either land use changes or management practices associated with development or re-development result in a reduction of pollutant loads from the estimated baseline, then this reduction can be counted toward meeting pollutant load reduction requirements. Conversely, actions to eliminate any pollutant load *increase* from these changes will not be counted towards the annual load reduction requirements.

In accordance with the Basin Plan, Permittees must ensure that changes in land use, impervious coverage, or operations and maintenance practices do not increase a catchment's average annual baseline pollutant load.

E. Storm Water Facility Operations and Maintenance

Permittees shall operate and maintain storm water collection, conveyance, and treatment facilities to ensure, at a minimum, the baseline pollutant loading specified in Table IV.B.1 does not increase.

**F. Pollutant Load Reduction Monitoring Requirements**

Permittees shall comply with all monitoring and reporting requirements specified in Section I of the attached Monitoring and Reporting Program (Attachment C).

**V. Receiving Water Limitations**

The Permittees shall comply with discharge prohibitions specified in Sections I and II of this Permit through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the Permittees' SWMPs and other requirements of this Permit, including any modifications. The Permittees' SWMPs shall be designed to achieve compliance with the requirements of Sections I and II of this Permit. If exceedances of water quality objectives or water quality standards (collectively, WQS) persist notwithstanding implementation of the SWMPs and other requirements of this Permit, the Permittees shall assure compliance with discharge prohibitions and receiving water limitations in Sections I and II of this Permit by complying with the following procedure:

1. Upon a determination by either the Permittee or the Water Board that discharges are causing or contributing to an exceedance of an applicable WQS, the Permittee shall notify and thereafter submit a report to the Water Board that describes Best Management Practices (BMPs) that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of WQSs. The report may be incorporated into the annual report required under Section IV of the Monitoring and Reporting Program (Attachment C) unless the Water Board directs an earlier submittal. The report shall include an implementation schedule. The Water Board may require modifications to the report.

If program modifications are needed to incorporate new or revised BMPs, adjust implementation schedules, or add additional monitoring, the Permittee will make such changes and notify the Water Board of any programmatic adjustments made.

2. If changes have been made, implement the revised SWMP and monitoring program in accordance with the approved schedule.

So long as the Permittee has complied with the procedures set forth above and is implementing its revised SWMP, the Permittee does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the Water Board to develop additional BMPs.



**VI. Administrative Provisions**

- A. The Water Board reserves the right to revise any portion of this Order upon legal notice to, and after opportunity to be heard is given to, all concerned parties.
- B. Permittees may request the Water Board consider Permit revisions if new information arises that would influence Permittees ability to comply with pollutant load reduction requirements. Such a request must include and be supported by information consistent with that developed pursuant to Permit Sections III.B.8 and IV.C.
- C. All terms of the attached Monitoring and Reporting Program (Attachment C) are hereby incorporated by reference as requirements under this Permit.
- D. Each Permittee shall comply with the Standard Provisions, Reporting Requirements, and Notifications contained in Attachment G of this Order. This includes 24 hour/5 day reporting requirements for any instance of non-compliance with this Order as described in section B.6 of Attachment G.
- E. All plans, reports, and subsequent amendments submitted in compliance with this Order shall be implemented immediately (or as otherwise specified) and shall be an enforceable part of this Order upon submission to the Regional Board. All Permittee submittals must be responsive to, and consistent with the requirements of this Order.
- F. This Order expires on **March 9, 2022**. The Permittees must file a report of waste discharge in accordance with Title 23, California Code of Regulations, no later than 180 days in advance of such date as application for an updated Municipal NPDES Permit.

The report of waste discharge must include a preliminary Pollutant Load Reduction Plan as outlined in Permit Sections IV.C.2 and IV.C.3. The preliminary Pollutant Load Reduction Plan shall describe how each Permittee could meet the pollutant load reduction requirements for the third five-year TMDL implementation period, defined as the ten-year load reduction milestone in Attachment B. Specifically, the preliminary Pollutant Load Reduction Plans shall demonstrate how each Permittee could reduce baseline fine sediment particle, total nitrogen, and total phosphorus loads by 34 percent, 19 percent, and 21 percent, respectively, by the end of the next permit term.

## G. Table of Required Submittals

Permit Submittal	Permit Section	Submittal/Required Completion Date
Statement of Legal Authority	III.A.4	March 15, 2018
Updated Pollutant Load Reduction Plan	IV.C	March 15, 2018
Report of Waste Discharge and preliminary Pollutant Load Reduction Plan	VI.D	September 10, 2021
Monitoring and Reporting Program Submittal	Attach. C Section	Submittal/Required Completion Date
Annual Report	IV	March 15, 2018 and annually thereafter

I, Patty Z. Kouyoumdjian, Executive Officer, do hereby certify that the forgoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on March 9, 2017.



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

- Attachments:
- A. Fact Sheet
  - B. Pollutant Load Allocation Tables
  - C. Monitoring and Reporting Program
  - D. Lake Clarity Crediting Program Handbook
  - E. Water Quality Objectives
  - F. Compliance with Water Quality Objectives
  - G. Standard Provisions, Reporting Requirements, and Notifications

**FACT SHEET  
FOR  
RENEWED WASTE DISCHARGE REQUIREMENTS AND NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
FOR  
STORM WATER/URBAN RUNOFF DISCHARGES FROM  
EL DORADO COUNTY, PLACER COUNTY,  
AND THE CITY OF SOUTH LAKE TAHOE**

**ORDER NO. R6T-2017-0010  
NPDES NO. CAG616001**

Pursuant to the requirements of section 124.8 and 124.56 of title 40 the Code of Federal Regulations (CFR), this Fact Sheet briefly sets forth the principal facts and the significant factual, legal, methodological and policy questions considered in preparing the draft permit.

**Background**

In 1972, the federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a NPDES permit. The 1987 amendments to CWA added section 402(p), which established a framework for regulating storm water discharges under the NPDES Program. Subsequently, in 1990, the U.S. Environmental Protection Agency (U.S. EPA) promulgated regulations for permitting storm water discharges from industrial sites (including construction sites that disturb five acres or more) and from municipal separate storm sewer systems (MS4s) serving a population of 100,000 people or more. (40 C.F.R. 122.26.) These regulations, known as the Phase I regulations, require operators of medium and large MS4s to obtain storm water permits. On December 8, 1999, U.S. EPA promulgated regulations, known as Phase II, requiring permits for storm water discharges from Small MS4s and from construction sites disturbing between one and five acres of land. (40 C.F.R. 122.30 - 122.37.) The Phase I regulations provide that States, such as California, with approved NPDES programs, may require any discharger who contributes to a violation of water quality standards or is a significant contributor of pollutants to waters of the United States to obtain storm water permits regardless of population size. (40 C.F.R. 122.26(a)(v).)

Portions of El Dorado County and Placer County and the entire jurisdiction of the City of South Lake Tahoe (hereafter referred to as “municipalities,” “urban jurisdictions” or “Permittees”) lie within the Lake Tahoe Hydrologic Unit. Because Lake Tahoe is an Outstanding National Resource Water negatively impacted by urban runoff discharged from these municipalities, the Lahontan Regional Water

Quality Control Board adopted Order 6-92-02 in January 1992 as part of the Phase I NPDES program to regulate MS4s on the California side of the Lake Tahoe watershed. The NPDES Storm Water Permit provided the Water Board a mechanism to work with the local municipalities to improve storm water management practices in the Tahoe area.

### **Legal Authority**

The CWA authorized the USEPA to permit a state to serve as the NPDES permitting authority in lieu of the USEPA. The State of California has in-lieu authority for the NPDES program. The Porter-Cologne Water Quality Control Act authorized the State Water Resources Control Board (State Board), through the Water Boards, to regulate and control the discharge of pollutants into waters of the State. The State Board entered into a Memorandum of Agreement with the USEPA on September 22, 1989 to administer the NPDES Program governing discharges to waters of the United States.

The terms of this permit solely implement the federal requirements under the CWA sections 402(p) and 303(d), and the associated regulations.

### **Lake Tahoe Total Maximum Daily Load**

Lake Tahoe is designated an Outstanding National Resource Water (ONRW) by the State Board and the USEPA due to its extraordinary deep water transparency. However, the lake's deep water transparency has been impaired over the past four decades by increased fine sediment particle inputs and stimulated algal growth caused by elevated nitrogen and phosphorus loading.

The Water Board, and the Nevada Division of Environmental Protection (NDEP) developed the bi-state Lake Tahoe Total Maximum Daily Load (TMDL) to identify the pollutants responsible for deep water transparency decline, quantify the major pollutant sources, assess the lake's assimilative capacity, and develop a plan to reduce pollutant loads and restore Lake Tahoe's deep water transparency, as measured by the Secchi depth, to the annual average levels recorded in 1967-1971.

The ongoing decline in Lake Tahoe's water quality is a result of light scatter from fine sediment particles (primarily particles less than 16 micrometers in diameter) and light absorption by phytoplankton. The addition of nitrogen and phosphorus to Lake Tahoe contributes to phytoplankton growth. Fine sediment particles are the most dominant pollutant contributing to the impairment of lake waters, accounting for roughly two thirds of the lake's impairment. Consequently, fine sediment particles, total nitrogen, and total phosphorus are the pollutants of concern at Lake Tahoe.

To achieve the transparency standard, estimated fine sediment particle, phosphorus, and nitrogen loads must be reduced by 65 percent, 35 percent, and 10 percent, respectively. Given the magnitude of the needed load reductions and the current available understanding of load reduction options, achieving the load reductions needed to meet the transparency standard is expected to take 65 years. A 20-year interim transparency goal, known as the Clarity Challenge, requires basinwide pollutant load reductions to be achieved within 15 years, followed by five years of monitoring to confirm that 24 meters of Secchi depth transparency has been reached. Implementation efforts must reduce basin-wide fine sediment particle, phosphorus, and nitrogen loads by 32 percent, 14 percent, and 4 percent, respectively, to achieve this goal.

The TMDL pollutant source analysis identified runoff from urban land uses as the primary source of fine sediment particle loading to Lake Tahoe, and the pollutant load allocations establish needed pollutant load reductions as a percent reduction from baseline pollutant load levels. The most significant and currently quantifiable load reduction opportunities are within the urban land uses. Because urbanized areas discharge the overwhelming bulk of the average annual fine sediment particle load reaching Lake Tahoe, much of the load reductions must be accomplished from this urban upland source. Even if it were feasible to completely eliminate the fine sediment particle load from the other three sources, (forest upland, atmospheric deposition, and stream channel erosion), the transparency standard would never be met.

Consequently, the Lake Tahoe TMDL implementation plan emphasizes actions to reduce fine sediment particle and associated nutrient loading from urban storm water runoff. Due to the magnitude of both the pollutant source and related control opportunities, the Water Board has devoted time and resources to develop detailed tools and protocols to quantify, track, and account for pollutant loads associated with urban runoff.

This NPDES Storm Water Permit is an important implementation tool that holds the municipal jurisdictions on the California side of the Lake Tahoe Basin accountable for achieving water quality improvements required by the Lake Tahoe TMDL. The Permit is also critical for maintaining consistency with the implementation tracking effort on the Nevada side of Lake Tahoe.

The renewed NPDES Storm Water Permit implements the second five-year pollutant load reduction milestone established by the Lake Tahoe TMDL. To ensure progress at achieving water quality improvement goals, the renewed Permit includes an interim compliance point at the second year of the permit term. The renewed permit also accelerates the TMDL five-year target into a four-year compliance point to ensure load reductions can be verified within the permit term.

## **Baseline Load Estimates**

The Lake Tahoe TMDL expresses waste load allocations for the urban upland source as percent reductions from a basin-wide baseline pollutant load. The basin-wide baseline pollutant load reflects conditions as of water year 2003/2004 (October 1, 2003 – September 30, 2004). To translate basin-wide waste load allocations for urban runoff into jurisdiction-specific waste load allocations for each of the municipalities, the Water Board required each of the municipalities to conduct a jurisdiction-scale baseline load analysis as the first step in the TMDL implementation process. To ensure comparability between the basin-wide baseline pollutant load estimates and the jurisdiction-scale baseline pollutant load estimates, municipalities have used a set of standardized baseline condition values consistent with those used to estimate the 2003/2004 basin-wide pollutant loads. Specifically, baseline pollutant load estimate calculations reflect infrastructure, land development conditions, and operations and maintenance practices that were in effect in October 2004. Due to the differences in analyzing hydrology at basin-wide and jurisdiction-specific scales, different modeling tools were needed to estimate average annual baseline pollutant loads.

The Pollutant Load Reduction Model (PLRM) provides pollutant load estimates at an appropriate scale for assessing jurisdiction-specific baseline fine sediment, total nitrogen, and total phosphorus loads. With guidance in support from the Permittees, the PLRM was revised during the previous permit term to better align roadway assessment methods with model variables and to address identified user inefficiencies. The Permittees re-assessed previously developed jurisdiction-specific baseline pollutant load estimates using the updated model version and provided revised values to the Water Board for inclusion in the renewed permit. The updated baseline load numbers were used to re-calculated needed load pollutant load reduction using percentages specified by the Lake Tahoe TMDL. In most instances the overall adjustment was minor.

Table IV.B.1 of the permit identifies the most recent baseline pollutant load estimates for each municipality and sets out the allowable load.

## **Lake Clarity Crediting Program**

The Lake Clarity Crediting Program provides a system of tools and methods to allow urban jurisdictions to link projects, programs, and operations and maintenance activities to estimated pollutant load reductions. In addition to providing a consistent method to track compliance with TMDL pollutant load reduction requirements, the Lake Clarity Crediting Program provides specific technical guidance for calculating jurisdiction-scale baseline load estimates. The Lake Clarity Crediting Program makes use of cutting-edge numeric modeling tools and field inspection methods to estimate water quality benefits and link modeled estimates to actual on-the-ground conditions. This program, the first of its kind in the nation, provides a robust method to hold municipalities responsible

for required water quality improvements and offers transparent protocols for demonstrating progress.

This NPDES Storm Water Permit requires the municipalities to use the Lake Clarity Crediting Program Handbook (Attachment D) to assess compliance with load reduction requirements specified in the Lake Tahoe TMDL (Attachment B).

### **Pollutant Load Reduction Plans**

The Lake Tahoe TMDL requires Lake Tahoe basin municipalities to develop and implement comprehensive Pollutant Load Reduction Plans (PLRPs) describing how proposed operations and maintenance activities, capital improvements, facilities retrofit projects, ordinance enforcement, and other actions will meet required pollutant load reduction requirements. PLRPs provide the Permittees the opportunity to prioritize pollutant load reduction efforts and target sub-watersheds, or catchments that generate the highest annual average pollutant loads in a cost effective manner.

By necessity, the PLRPs are expected to provide only a general implementation plan that identifies specific catchments targeted for implementation and expected load reduction measures. The Permit requires the municipalities to estimate the anticipated cumulative water quality benefit over a five year period and support those estimates with representative modeling results. As implementation progresses, these estimates will be refined as the municipalities declare credits pursuant to the Lake Clarity Crediting Program. Over time, the Permittees will likely need to adjust their individual PLRPs to reflect updated information regarding implementation progress and load reduction estimate refinement.

This NPDES Storm Water Permit implements the requirement to develop and submit PLRPs consistent with Lake Tahoe TMDL requirements. While the PLRPs do not alter pollutant load reduction requirements or other performance standards, they do describe the municipalities' proposed methods and plans to achieve compliance with pollutant load reduction requirements and associated mass- and particle-based effluent limits listed in Section IV.B of the Permit.

Order R6T-2011-0101A required the Permittees to develop and submit detailed PLRPs consistent with Lake Tahoe TMDL requirements. The Permittees submitted the necessary documents by March 15, 2013. Water Board staff reviewed the submitted PLRPs, circulated them for public comment, and brought them before the Water Board for approval at its June 2013 meeting.

Order R6T-2011-0101A also required the Permittees to submit preliminary PLRPs prior to the 2016 permit expiration date. Although the preliminary plans provide a framework for achieving the next load reduction milestone, the renewed permit requires the Permittees to conduct a more robust update during the first year of the permit term.

Section IV.A of the Monitoring and Reporting Program requires the Permittees to annually assess PLRP progress and, if necessary, propose changes.

### **Control of Pollutants of Concern**

The CWA provides that storm water permits for MS4 discharges shall contain controls to reduce the discharge of pollutants to the “maximum extent practicable including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants.” (CWA 402(p)(3)(B)(iii).) Under this provision, the Water Board has the authority to include requirements for reducing pollutants in storm water discharges as necessary for compliance with water quality standards. (*Defenders of Wildlife v. Browner*, 191 F.3d 1159, 1166 (9<sup>th</sup> Cir. 1999).)

Where MS4 discharges have the reasonable potential to cause or contribute to a water quality standard excursion, EPA recommends that MS4 permits “place a greater emphasis on clear, specific measureable permit requirements” and, where feasible, that MS4 permits include numeric effluent limitations.” (“Revisions to the November 22, 2002 Memorandum ‘Establishing Total Maximum Daily Load (TMDL) Wasteload Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on Those WLAs’,” November 26, 2014 (hereafter referred to as “US EPA 2014 Memorandum”), at pp. 2, 5.)) “[N]umeric’ effluent limitations refer to limitations with a quantifiable or measurable parameter related to a pollutant (or pollutants). Numeric WQBELs may include other types of numeric limits in addition to end-of-pipe limits. Numeric WQBELs may include, among others, limits on pollutant discharges by specifying parameters such as on-site storm water retention volume or percentage or amount of effective impervious cover, as well as the more traditional pollutant concentration limits and pollutant loads in the discharge” (US EPA 2014 Memorandum at p. 4, fn. 5.). The purpose of including numeric requirements is “to establish a more objective and accountable means for reducing pollutant discharges that contribute to water quality problems” (US EPA 2014 Memorandum at p. 5.). The numeric load reduction requirements in this NPDES Storm Water Permit provide the referenced “objective and accountable means” that effectively link Permittee actions to expected water quality benefit and track progress in restoring Lake Tahoe’s historic transparency.

Where a State or EPA has established a TMDL for an impaired water that includes WLAs for storm water discharges, permits for MS4 discharges must contain effluent limits and conditions consistent with the requirements and assumptions of the WLAs in the TMDL. (40 CFR 122.44(d)(1)(vii)(B).) U.S. EPA recommends that WLAs for NPDES-regulated storm water discharges should be disaggregated into specific categories, as was done for the Lake Tahoe TMDL (US EPA 2014 Memorandum at p. 7). WLAs were established for four source categories – urban uplands, forest uplands, atmospheric deposition, and stream



channel erosion. This permit maintains particle- and mass-based effluent limits for fine sediment particles, total nitrogen, and total phosphorus based on requirements in the Lake Tahoe TMDL. By defining water quality improvement requirements in terms average annual loading of the pollutants of concern, this renewed permit is consistent with recent US EPA guidance and provides a direct link to the transparency impairment, the Lake Tahoe TMDL, and all associated research and monitoring findings.

Heavy metals, pesticides, and pathogens are typically of concern in MS4 discharges. Extensive monitoring conducted as required by previous NPDES Storm Water Permits concluded these common storm water pollutants are not prevalent in Lake Tahoe urban runoff. Furthermore, the receiving waters in the Lake Tahoe Hydrologic Unit are in attainment with all applicable water quality standards and there is no evidence storm water discharges are causing or have reasonable potential to cause or contribute to beneficial use impairment other than transparency loss. The stringent control actions required to achieve pollutant load reductions for fine sediment particles, total nitrogen, and total phosphorus will prevent any unanticipated increase in the discharge of metals, pesticides, and pathogens.

Under State Water Board precedent, MS4 permits must include numeric receiving water limitations (Order WQ 99-05 (*Environmental Health Coalition*)). Where dischargers need time to meet receiving water limitations, a permit can allow permittees to meet those limitations through an alternative compliance path that ensures an appropriate level of “rigor, transparency and accountability.” (Order WQ 2015-0075 (*MS4 Discharges Within the Coastal Watersheds of Los Angeles County*), p. 33.) The alternative compliance path must be as short as possible. (See *id.*, pp. 34-35, 60.) Order WQ 2015-0075 recognizes that the alternative compliance path approach in the Los Angeles permit is not appropriate for every situation.

This permit is unique in California as the only MS4 Permit that primarily regulates discharges to an ONRW. The TMDL load reduction effluent limitations and associated requirements already incorporate a compliance path toward meeting the water quality standards for lake clarity, total nitrogen and phosphorus. Dischargers in Nevada and California are implanting this program through a cooperative, bi-state process with U.S. EPA. The TMDL program requires compliance with interim load reduction requirements based on estimates of BMP performance developed through the Lake Clarity Crediting Program, and not on in-stream or end-of-pipe water quality measurements. These requirements are equivalent to the alternative compliance path the State Water Board upheld in Order WQ 2015-0075. No alternative compliance path is necessary or appropriate for meeting receiving water limitations for non-TMDL constituents. The Permittees are already in compliance with those limitations and do not need time to implement new stormwater controls to avoid immediate non-compliance.

## **Storm Water Management Plans**

To provide consistency with federal regulations (40 CFR 122.26(d)(2)(iv)) and address deficiencies noted by a United States Environmental Protection Agency audit of Order 6-00-82, the primary goal of the previous NPDES Storm Water Permits (R6T-2005-0026 and R6T-2011-0101A) was to require the Permittees to develop and implement comprehensive storm water management programs. The pervious permits required the jurisdictions to prepare and implement a Storm Water Management Plan to (1) continue erosion control and storm water treatment project implementation; (2) inspect and control runoff from construction, industrial, commercial, and residential sites; (3) develop a storm water education program for municipal staff and the public; (4) detect and eliminate illicit discharges; (5) provide for public participation; (6) assess program effectiveness; (6) inspect roadways and other municipal storm water facilities; (7) manage traction abrasive and deicing application and recovery; and (8) evaluate program funding needs and provide fiscal management plan.

Order R6T-2011-0101A required the Permittees to submit updated Storm Water Management Plans to align programmatic efforts with permit requirements. The three Permittees submitted plans by October 1, 2013 as required. Water Board staff reviewed the submitted material and found the plans compliant with permit requirements, posted the plans on the Water Board website for public access, and accepted the plans as submitted.

The 2013 Storm Water Management Plans provide the needed programmatic framework for implementing necessary storm water management activities, and Section III.B of this renewed permit requires the Permittees to continue implementing current programs and revisit and update their existing Storm Water Management Plans as needed.

## **Monitoring Requirements**

The Lake Clarity Crediting Program relies on numeric modeling tools to provide estimates of average annual pollutant loading and of water quality benefit associated with various management strategies. A series of condition assessment methods have been developed to link on-the-ground field conditions to model input variables to determine whether actual treatment facility and roadway conditions are consistent with modeled assumptions. Monitoring and Reporting Section I.E requires Permittees to conduct condition assessments of all roadways and runoff treatment facilities consistent with established methods for all catchments registered under the Lake Clarity Crediting Program. By emphasizing field condition assessments, the Permit requires the Permittees to focus limited staff resources on gathering meaningful information to verify model estimate parameters. If field conditions are consistent with modeled variables, then it is more likely that actual pollutant loading is consistent with modeled pollutant load estimates.

Effective implementation and pollutant load reduction tracking requires a well-designed water quality monitoring program that can be applied with an adaptive management framework. The Lake Tahoe Regional Storm Water Monitoring Program (RSWMP) was developed to meet this purpose for urban storm water. In collaboration with Lake Tahoe basin stakeholders and agency representatives, the RSWMP established a series of goals and objectives to guide urban storm water monitoring, crafted a detailed Framework and Implementation Guidance document, and prepared and implemented an effective monitoring program on behalf of the Permittees.

The Permit requires Permittees to continue supporting the RSWMP effort to gather data at a catchment scale to help assess whether modeled water quality improvements are being realized and monitor the effectiveness of selected water quality improvement practices to inform model input parameters and improve treatment facility design and operations and maintenance efforts. Data collection conducted by RSWMP with Permittee support provides critical data to inform future TMDL and NPDES Storm Water Permit programmatic adjustment and evaluate long-term load reduction accomplishments.

### **Anti-degradation Objective**

On October 28, 1968, the State Water Resources Control Board adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," establishing a policy for the protection of water quality. This policy, referred to in the Basin Plan as the Anti-degradation Objective, requires continued maintenance of existing high quality waters.

Under the Anti-degradation Objective, whenever the existing quality of water is better than that needed to protect all existing and probable future beneficial uses, the existing high quality shall be maintained until or unless it has been demonstrated to the State that any change in water quality will be consistent with the maximum benefit of the people of the State, and will not unreasonably affect present and probable future beneficial uses of such water. Therefore, unless these conditions are met, background water quality concentrations (the concentrations of substances in natural waters as they existed in 1968, when the degradation policy was adopted, that are unaffected by waste management practices or contamination incidents) are appropriate water quality goals to be maintained. In accordance with 40 CFR 131.12(a)(3), no permanent or long term reduction in water quality is allowed in areas, like Lake Tahoe, that have been given special protection as Outstanding National Resource Waters.

Storm water discharges from the municipal jurisdictions are contributing to the degradation of Lake Tahoe's transparency, which violates the above-referenced objective, as documented by the Lake Tahoe TMDL. This NPDES Storm Water

Permit is intended to improve storm water quality and reduce the negative impacts associated with urban runoff.

### **Public Participation**

The Lahontan Water Board encourages public participation in the Permit adoption process. This proposed Municipal NPDES Permit has been developed for review and comment by the public. As a step in the Water Board approval process, the Lahontan Water Board staff developed a “tentative” Permit for circulation and engaged directly with co-permittees and interested stakeholders during the 45-day comment period.

### **Notification of Interested Parties**

On January 6, 2017 the Water Board notified dischargers, interested agencies, and other interested parties of its intent to renew the Municipal NPDES Permit for storm water discharges from the City of South Lake Tahoe and portions of El Dorado and Placer Counties within the Lake Tahoe Hydrologic Unit. The Water Board provided interested parties with the opportunity to submit written comments and recommendations on the draft tentative permit by February 20, 2017. Notification was provided through electronic mailing, list serve system emails, and posting on the Lahontan Water Board website. Lahontan Water Board staff made non-substantive adjustments to the permit based on comments received on the tentative draft. On February 24, 2017 the Lahontan Water Board notified dischargers, interested agencies, and other interested parties of the Water Board’s intent to consider adopting the revised permit at its March 9, 2017 meeting in South Lake Tahoe. Notification was provided through mailing, list serve system emails, newspaper notifications, and posting on the Lahontan Water Board website.

### **Public Workshop**

The Lahontan Water Board conducted a public workshop on November 10, 2017 to discuss issues relating to the Permit renewal process with the Board and interested parties.

### **Public Hearing**

The Lahontan Water Board has scheduled a public hearing to consider adopting the renewed permit. The Board meeting is scheduled as follows:

Date:	March 9, 2017
Time:	8:30 AM
Location:	Lahontan Water Board Annex Hearing Room 971 Silver Dollar Avenue South Lake Tahoe, CA 96150

Interested persons are invited to attend. At the public meeting, the Lahontan Water Board will hear testimony, if any, pertinent to the discharge and the Permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. The public can access the current agenda for changes in dates and locations at the Water Board website: [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)

### **Petitions**

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Lahontan Water Board regarding the final Permit. The petition must be submitted within 30 days of the Lahontan Water Board's action to the following address:

State Water Resources Control Board  
Office of Chief Counsel  
P.O. Box 100, 1001 I Street  
Sacramento, CA 95812-0100

### **Information and Copying**

The proposed Permit, comments received, and other information are on file and may be inspected at the Lahontan Water Board at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday, at 2501 Lake Tahoe Boulevard, South Lake Tahoe, CA 96150. Copying of documents may be arranged through the Lahontan Water Board by calling (530) 542-5400.

### **Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Lahontan Water Board, reference this Permit, and provide a name, email address, and phone number.

### **Additional Information**

Requests for additional information or questions regarding this order should be directed to Robert Larsen, Senior Environmental Scientist, at 530-542-5439 or by email at [Robert.Larsen@waterboards.ca.gov](mailto:Robert.Larsen@waterboards.ca.gov).

# ATTACHMENT B

## POLLUTANT LOAD ALLOCATION TABLES

### Fine Sediment Particle Load Allocations by Pollutant Source Category.

	Baseline Load		Milestone Load Reductions												Standard Attainment
	Basin-Wide Load (Particles/yr)	% of Basin-Wide Load	5 yrs	10 yrs	15 yrs	20 yrs	25 yrs	30 yrs	35 yrs	40 yrs	45 yrs	50 yrs	55 yrs	60 yrs	65 yrs
Forest Upland	4.1E+19	9%	6%	9%	12%	12%	13%	14%	15%	16%	17%	18%	19%	20%	20%
Urban Upland*	3.5E+20	72%	10%	21%	34%	38%	41%	45%	48%	52%	55%	59%	62%	66%	71%
Atmosphere	7.5E+19	16%	8%	15%	30%	32%	35%	37%	40%	42%	45%	47%	50%	52%	55%
Stream Channel	1.7E+19	3%	13%	26%	53%	56%	60%	63%	67%	70%	74%	77%	81%	85%	89%
Basin Wide Total	4.8E+20	100%	10%	19%	32%	35%	38%	42%	44%	47%	51%	55%	58%	61%	65%

### Total Nitrogen Load Allocations by Pollutant Source Category.

Nitrogen	Baseline Load		Milestone Load Reductions												Standard Attainment
	Basin-Wide Nitrogen Load (MT/yr)	% of Basin-Wide Load	5 yrs	10 yrs	15 yrs	20 yrs	25 yrs	30 yrs	35 yrs	40 yrs	45 yrs	50 yrs	55 yrs	60 yrs	65 yrs
Forest Upland	62	18%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Urban Upland*	63	18%	8%	14%	19%	22%	25%	28%	31%	34%	37%	40%	43%	46%	50%
Atmosphere	218	63%	0%	0%	1%	1%	1%	1%	1%	1%	1%	1%	2%	2%	2%
Stream Channel	2	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Basin Wide Total	345	100%	2%	3%	4%	5%	6%	6%	7%	7%	8%	8%	9%	9%	10%

### Total Phosphorus Load Allocations by Pollutant Source Category.

Phosphorus	Baseline Load		Milestone Load Reductions												Standard Attainment
	Basin-Wide Phosphorus Load (MT/yr)	% of Basin-Wide Load	5 yrs	10 yrs	15 yrs	20 yrs	25 yrs	30 yrs	35 yrs	40 yrs	45 yrs	50 yrs	55 yrs	60 yrs	65 yrs
Forest Upland	12	32%	1%	1%	1%	2%	1%	1%	2%	2%	2%	2%	2%	3%	3%
Urban Upland*	18	47%	7%	14%	21%	23%	26%	28%	31%	33%	36%	38%	41%	44%	46%
Atmosphere	7	18%	9%	17%	33%	36%	39%	42%	45%	48%	51%	53%	56%	58%	61%
Stream Channel	1	3%	8%	15%	30%	32%	34%	36%	38%	40%	42%	44%	46%	48%	51%
Basin Wide Total	38	100%	5%	10%	17%	19%	22%	24%	26%	28%	30%	32%	33%	34%	35%

\* Urban upland load reduction requirements constitute waste load allocations for the City of South Lake Tahoe, El Dorado County, Placer County, and the California Department of Transportation.

# ATTACHMENT C

## STATE OF CALIFORNIA

### CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

#### MONITORING AND REPORTING PROGRAM ORDER NO. R6T-2017-0010 NPDES NO. CAG616001

#### RENEWED WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR STORM WATER/URBAN RUNOFF DISCHARGES FROM EL DORADO COUNTY, PLACER COUNTY, AND THE CITY OF SOUTH LAKE TAHOE WITHIN THE LAKE TAHOE HYDROLOGIC UNIT

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#### **I. Pollutant Load Reduction Monitoring Requirements**

##### **A. Lake Clarity Crediting Program**

The Lake Tahoe Total Maximum Daily Load (TMDL) established average annual pollutant load estimates and load reduction targets for total nitrogen, total phosphorus, and fine sediment particles for the major pollutant source categories. The Lake Clarity Program (Crediting Program) defines a system to evaluate and track pollutant load reductions to demonstrate compliance with the load reduction requirements for pollutants generated in the urban uplands. The program provides methods for consistently linking implementation of pollutant controls to average annual pollutant load reduction estimates using numeric modeling tools. It establishes Lake Clarity Credits (Credits) for actions taken to reduce pollutant loads as required by the Lake Tahoe TMDL.

Credits are used in this Monitoring and Reporting Program to provide a consistent metric for assessing compliance with average annual pollutant load reduction requirements. The Crediting Program guides interaction between the Water Board and Permittees regarding load reduction progress assessment.

Load reductions are defined as the difference between the estimated average annual amount of pollutants entering Lake Tahoe under standardized baseline conditions and the estimated average annual amount of pollutants entering the lake under expected conditions following management practice implementation.



Effective implementation of any pollutant control can generate credits, provided that the Permittees effectively demonstrate to the Water Board that the action (1) will reduce the load of the pollutants of concern to Lake Tahoe from urban land uses, (2) is supported by reasonable load reduction estimate, and (3) is implemented and maintained over time.

Effective implementation of pollutant controls results in actual conditions of treatment best management practices (BMPs) and/or roadways that are at or better-than the conditions used as the basis for modeled load reduction estimates, referred to as “expected” conditions. Actual conditions, as assessed during annual inspections outlined in Section I.E of this Monitoring and Reporting Program, are compared to the expected conditions to determine the appropriate amount of credit to award in a given year. When actual conditions are at or better-than expected conditions, the actual pollutant loading is considered to be the same or better than the expected pollutant loading and full Credit will be awarded. If actual conditions are worse than expected, the actual loading is considered to be higher than expected loading and the Credit award will be less than the full Credit potential amount.

The credit accounting period is a water year, October 1 through September 30. Each year is a unique accounting period – credits awarded in one year cannot be used to meet load reduction requirements in a subsequent or prior year.

The following sections briefly describe components of the Crediting Program protocols and establish phased Crediting Program implementation requirements.

#### **B. Credit Definition and Credit Requirements**

The Crediting Program Handbook (Attachment D) defines one (1) Lake Clarity Credit as equal to  $1.0 \times 10^{16}$  fine sediment particles with a diameter smaller than 16 micrometers ( $\mu\text{m}$ ).

To demonstrate compliance with the pollutant load reduction requirements outlined in Permit Table IV.B.1, each Permittee must earn and maintain Lake Clarity Credits in accordance with Permit Table IV.B.2.

#### **C. Crediting Program Handbook**

The Lake Clarity Crediting Program Handbook (Crediting Program Handbook) defines the protocols for implementing the Crediting Program. The Crediting Program Handbook provides detailed technical

guidance for estimating load reductions, preparing catchment credit schedules, reporting conditions and awarding credits.

Crediting Program Handbook is incorporated into the Permit as Attachment D and all Lake Clarity Crediting Program procedures are incorporated as enforceable requirements under this Permit. Within the context of this Monitoring and Reporting Program, all Crediting Program Handbook references to “regulator” should be understood to mean the Water Board.

#### D. Condition Assessments

Credits are awarded by the Water Board for ongoing implementation of effective pollutant control measures that result in actual, observable conditions of treatment BMPs and roadways that are consistent with the expected conditions used to estimate pollutant load reductions. Actual conditions, as determined by field inspection findings, are compared to expected conditions to determine the appropriate credit award. In some instances, partial credit may be awarded when actual conditions are worse than expected.

Actual field conditions are evaluated and compared with expected conditions used to estimate pollutant load reductions. Each Permittee shall conduct treatment BMP and roadway condition assessments as described in the Crediting Program Handbook for all registered catchments.

The Crediting Program Handbook describes the process for defining inspection needs, performing facilities inspections, and recording results for registered catchments.

Permittees shall use the Best Management Practices Maintenance Rapid Assessment Methodology (BMP RAM) and the Road Rapid Assessment Methodology (Road RAM) or their equivalents (subject to Water Board acceptance) to annually assess, score, and document the actual condition of treatment BMPs and roadways.

#### F. Condition Assessment Method Alternatives

Should a Permittee consider using a treatment facility assessment method other than the BMP RAM, the Permittee must submit a proposal to the Water Board Executive Officer for approval. The submittal must describe how the Permittee will demonstrate that the proposed equivalent method will effectively evaluate treatment facility condition based on treatment process (infiltration, particle settling, media filtration, or nutrient cycling), is capable of evaluating the condition of the BMP on

a 0-5 scale, with 5 representing the highest functioning condition, and produces repeatable results that are consistent with the BMP RAM.

Should a Permittee consider using a roadway condition assessment method other than the established Road RAM, it must submit a detailed proposal to the Water Board Executive Officer. The submittal must demonstrate that any proposed equivalent method will effectively evaluate roadway condition based on field observations of sediment accumulation, can demonstrably extrapolate results to other roadway areas, is capable of evaluating the condition of representative roadway segments on a 0-5 scale, with 5 representing the cleanest condition, and produces repeatable results consistent with the Road RAM.

The initial submittal for alternative condition assessment methods need not contain all technical information of the proposed alternative methods, but must establish a schedule for fully developing and submitting details for Water Board approval. Water Board staff and the Executive Officer will review any proposed alternatives and will bring the proposals before the Water Board for consideration.

#### G. Impacts Influencing Baseline Pollutant Loads

In accordance with the Basin Plan and Permit Section IV.D, Permittees must ensure that changes in land use, impervious coverage, or operations and maintenance practices do not increase a catchment's average annual baseline pollutant load.

For the 2017 water year (October 1 2016 – September 30, 2017) each Permittee shall conduct a general assessment of the changes in land use, impervious coverage, and operations and maintenance practices within their jurisdiction to determine whether such changes have increased the baseline average annual pollutant loading as described in Permit Table IV.B. The assessment need only consider land use, impervious cover, and operations and maintenance changes that have occurred in hydraulically connected areas not registered as part of the Crediting Program that may have occurred since the last assessment was conducted for the 2014 water year.

If Permittees determine that changes in baseline loading have occurred, each Permittee shall identify the specific areas where pollutant loads have changes and ensure those areas have been registered under the Crediting Program.

## II. Inspection Requirements

### A. Storm Water System Inspections

Visual inspection of storm water collection, conveyance, and treatment facilities is the most efficient tool to assess facility function and evaluate maintenance needs.

For portions of a Permittee's jurisdiction not included in a Crediting Program registered area, Permittees shall inspect its storm water collection, conveyance, and treatment systems **annually**. Permittees shall conduct facilities inspections between the period of time following spring snow melt and before fall rain and snow storms each year to provide the opportunity to perform facilities maintenance as needed.

Storm water facilities shall be inspected for signs of needed maintenance, evidence of erosion, damage from snow removal equipment, and accumulated sediment and debris. During inspections, Permittees shall also consider potential storm water pollutant sources including but not limited to:

- Private property/residential runoff
- Commercial property runoff
- Eroding cut slopes
- Eroding road shoulders
- Traction abrasive application
- Dislodged sediment from snow removal activities
- Vehicles tracking sediment onto the roadway
- Parking related erosion

Permittees shall implement an inspection documentation and tracking system to record inspection findings and prioritize maintenance needs. At a minimum, the tracking system shall provide mechanisms to document the following:

- Inspector's name
- Date and time of inspection
- Mapped inspection location (i.e. catchment)
- Observed system condition at time of inspection
- An assessment of needed maintenance or other follow-up actions
- Prioritization of needed maintenance

### B. Construction Site Inspections

Permittees shall establish construction site inspection frequencies based on the water quality prioritization described in Permit Section

III.B.1. Permittees shall inspect each construction site at a frequency sufficient to ensure that sediment and other pollutants are properly controlled and that unauthorized, non-storm water discharges are prevented.

Permittees shall implement a construction site inspection documentation and tracking system to record inspection findings. At a minimum, the tracking system shall provide mechanisms to document the following:

- Inspector's name
- Date and time of inspection
- Inspection location
- Observed facility conditions
- A summary of follow up and enforcement actions taken, if violations are observed.

C. Commercial, Industrial, and Municipal Site Inspections

Permittees shall establish commercial, industrial, and municipal site inspection frequencies based on the water quality prioritization described in Permit Section III.B.2. Each Permittee shall inspect each high priority commercial, industrial, and municipal site at least once annually.

Permittees shall implement a commercial, industrial, and municipal site inspection documentation and tracking system to record inspection findings. At a minimum, the tracking system shall provide mechanisms to document the following:

- Inspector's name
- Date and time of inspection
- Inspection location
- Observed facility conditions
- A summary of follow up and enforcement actions taken, if violations are observed.

D. Traction Abrasive and Deicing Material

The goal of traction abrasive monitoring program is to measure the quality and quantity of material applied and recovered. To meet that objective, Permittees shall implement a program that, at a minimum, includes the following:

1. Specifications for the amounts of fine sediment particles, total nitrogen, and total phosphorus allowable in material the Permittee applies as traction abrasives.
2. A program to sample supplied traction abrasive materials to determine whether materials meet the specifications defined according to II.D.1 above.
3. A system to track and record the total amount of abrasive and deicing material applied to its roads and parking areas per winter season. Materials applied to Permittee roads by other authorized entities shall be tracked and recorded along with Permittee applied material.
4. A system to track and record the location and amount that maintenance crews, Permittee contractors, or other authorized entities apply abrasive and deicing material (i.e. amount applied per “zone”).
5. A system to track and record the amount of sediment and other material recovered from sweeping and vacuum extraction operations. Permittees shall report separate sediment amounts recovered by sweeping and vacuum equipment, per “zone”.

### **III. Water Quality Monitoring Requirements**

#### **A. Catchment Scale Runoff Water Quality Monitoring**

The Crediting Program and associated load estimation tools, including the Pollutant Load Reduction Model (PLRM), estimate the average annual pollutant load reductions as a result of pollutant control actions. Storm water monitoring is needed to verify that implementing cumulative pollutant control actions is resulting in measurable pollutant load reductions at the catchment scale. Documenting and reporting pollutant load reductions at select runoff outlets will help verify that the jurisdictions cumulative pollutant control actions are effective and confirm credit awards are warranted.

To assess the water quality at the urban catchment outfalls and provide load estimation tool comparison data, each Permittee shall, at a minimum:

1. Establish monitoring locations at storm water outfalls of no less than two (2) catchment areas that discharge directly to surface waters.
2. Obtain continuous flow data at the catchment outfall and report data as seasonal [Fall/Winter (October 1 – February 28) Snow melt (March 1 –

May 31) and Summer (June 1 – September 30)] total outflow volumes (in cubic feet).

3. Collect six (6) to twelve (12) samples every 24 hours, per event.

Collect samples for each seasonal event type (rain-on-snow, snowmelt, summer thunderstorm, fall rain) spanning storm event hydrographs. Due to the large total volume of the spring snowmelt, collect supplemental samples periodically throughout the snow melt hydrograph. Use the range of samples collected to estimate the snowmelt event mean concentration (mg/L) for each year sampled.

4. Analyze all collected water samples for the Lake Tahoe TMDL pollutants of concern – fine sediment particles, total suspended sediment, total nitrogen, and total phosphorus. The priority pollutant is fine sediment particles (FSP) less than 16 micrometers ( $\mu\text{m}$ ) in diameter, that should be reported as both concentration by mass (mg/L) and the number of particles per liter of water. Samples collected and analyzed for FSP shall span the range of expected FSP concentrations experienced at the selected outfall.
5. Total nitrogen, total phosphorus, and total suspended solids sample analyses may be conducted with lesser frequency than FSP analyses. Permittees must demonstrate the proposed approach will adequately reflect the range of nutrient and total suspended solid concentrations at the outfall. The sampling strategy shall include a range of event types that is proportional to their frequency of occurrence and total seasonal volume contributions.
6. Use collected data to estimate the average flow-weighted concentration of each pollutant for each season monitored.
7. Calculate the total load (mass in kilograms for total nitrogen, total phosphorus, and total suspended solids and number of particles for FSP) of each pollutant for each season monitored as the product of the total seasonal volume and the average seasonal concentration.
8. Use long-term regional meteorological data to identify whether the data were collected during dry, average, or wet seasons.
9. Follow quality assurance and sampling protocols established by the Regional Storm Water Monitoring Program (RSWMP) Quality Assurance Project Plan (May 2011) and Framework and Implementation Guidance Document (March 2015) for all sampling activities.

10. Maintain monitoring locations and collect samples for each water year (October 1 – September 30) of this Permit term.

**B. Best Management Practice (BMP) Effectiveness Monitoring**

The PLRM and other pollutant load estimation tools use the best available information to assess water quality benefits expected from implementing storm water treatment devices and other BMPs. Condition assessments are used to verify that the condition of a BMP or specific land use is being maintained at an acceptable condition. BMP effectiveness monitoring is needed to verify that each Permittee's BMP implementation and maintenance practices are resulting in actual measured pollutant load reductions. BMP effectiveness monitoring is also needed to improve installation and maintenance practices for various BMPs to optimize water quality benefits.

Each Permittee must, at a minimum:

1. Select at least one (1) storm water treatment device or other BMP and monitor effectiveness for at least three successive years.
2. If the selected BMP is a flow-through structure/device, obtain continuous flow at the inlet and outlet to support seasonal [Fall/Winter (October 1 – February 28) Snow melt (March 1 – May 31) and Summer (June 1 – September 30)] inflow and outflow volume reporting.

If the selected BMP is not a flow-through device, devise a reasonable method to obtain continuous flow at the inlet to support seasonal volume reporting of storm water treated/infiltrated/contained by the BMP.

If the selected BMP is a pollutant source control measure, the Permittee need not report hydrology and the monitoring plan shall describe methods to calculate the mass of pollutant controlled per land surface area.

3. Collect influent (or up gradient) and effluent (or down gradient) storm water samples to assess treatment device/activity performance.
4. Analyze all collected water samples for the Lake Tahoe TMDL pollutants of concern – fine sediment particles, total nitrogen, and total phosphorus. The priority pollutant is FSP reported as the number of particles per liter of water. Samples collected and analyzed for FSP shall span the range of expected FSP concentrations experienced at the inlet and outlet.



Total nitrogen, total phosphorus, and total suspended solids sample analyses may be conducted with lesser frequency than FSP analyses provided Permittees demonstrate the proposed approach will provide a representative sampling of the range of pollutant concentrations. The sampling strategy should include a range of event types that is proportional to their frequency of occurrence and total seasonal volume contributions.

5. Use collected data to estimate the average concentration of each pollutant for each season monitored.
6. If evaluating a pollutant or hydrologic source control BMP, describe a data collection approach and reasonable extrapolation method to estimate volume of runoff eliminated (hydrologic source control) or the mass of the pollutant, or number of particles eliminated per unit area of the land surface affected (pollutant source control). Describe how this value will be used to estimate pollutant loads controlled per season [Fall/Winter (October 1 – February 28) Snow melt (March 1 – May 31) and Summer (June 1 – September 30)].
7. Use long-term regional meteorological data to identify whether the data were collected during dry, average, or wet seasons.
8. Follow quality assurance and sampling protocols established by the RSWMP Quality Assurance Project Plan (May 2011) and Framework and Implementation Guidance Document (March 2015) for all sampling activities.

C. Monitoring Plan

By **March 15, 2018** each Permittee shall prepare and submit to the Water Board a storm water monitoring plan to implement the requirements described in Sections III.A and III.B above.

For catchment outfall monitoring, the plan shall describe how the requirements in Section III.A above will be met, including which catchments the Permittee proposes to monitor, proposed monitoring instrumentation, proposed sampling frequency, data management and proposed analysis and reporting methods. The monitoring plan shall include a detailed discussion of the rationale for the chosen sampling sites, methods, and frequency and a discussion of how the proposed monitoring will support, enhance, or otherwise inform the Permittee's existing load estimation or condition assessment methods and the Permittee's pollutant load reduction program.

For the BMP effectiveness monitoring, the plan shall describe how the requirements in Section III.B above will be met, including a description of the selected storm water treatment device or BMP, a discussion of influent (or upstream) and effluent (downstream) monitoring locations, and a description of how the proposed monitoring will evaluate the effectiveness of the chosen BMP and provide information to improve the collective understanding of how the chosen BMP should be installed and maintained over time.

The submitted monitoring plans must be reviewed and approved by the Water Board to ensure compliance with Permit and Monitoring and Reporting Program requirements.

#### D. Storm Water Monitoring Data Management

Electronic data shall be in a format compatible with the Surface Water Ambient Monitoring Program (SWAMP) database (See <http://mpsl.mlml.calstate.edu/swdataformats.htm>) and the *California Environmental Data Exchange Network (CEDEN)* at [www.ceden.org](http://www.ceden.org).

Permittees shall make all monitoring data and associated analytical reports available to managers of the RSWMP regional data center. Permittees shall notify stakeholders and members of the general public about the availability of electronic and paper monitoring reports through notices distributed through appropriate means, such as an electronic mailing list or posting on Permittee websites.

#### E. Storm Water Monitoring Compliance Options

To promote cost savings through economies of scale and avoid monitoring redundancy, Permittees may choose to comply with the storm water monitoring requirements by supporting the RSWMP effort to maintain no fewer than six (6) catchment monitoring sites and support ongoing monitoring to assess performance of no fewer than two (2) BMPs.

Should the Permittees choose to conduct monitoring described in Sections III.A and III.B above as part of the collaborative RSWMP effort, the group may submit a single storm water monitoring plan to fulfill the requirement contained in Section III.C above.

For each monitoring component that is conducted collaboratively, Permittees shall prepare a single report on behalf of all contributing Permittees; separate water quality monitoring reports are not required.

#### **IV. Annual Reporting Requirements**

For each water year (October 1-September 30), Permittees shall develop and submit an Annual Report by **March 15, 2018** and by **March 15** of each subsequent year of the permit term. Annual Reports shall include the following elements:

##### **A. Pollutant Load Reduction Reporting**

Each Permittee must describe actions taken to fulfill the requirements of Monitoring and Reporting Section I. Specifically, each Permittee's annual report must include a list of areas registered under this and previous Permits and a summary of applicable condition assessment results for all registered area pursuant to Section I.D above.

Each Permittee shall list its total credit award for the previous water year to demonstrate progress at meeting pollutant load reduction requirements.

Each Permittee shall describe load reduction progress in context of its Pollutant Load Reduction Plan (PLRP), including a discussion of whether Credit registration, load reduction estimates, and implementation actions are consistent with the submitted PLRP. Permittees shall discuss any deviations from submitted PLRPs, provide rationale for those deviations, and, if necessary, describe how the Permittee will compensate for any noted shortfalls in expected pollutant load reductions.

##### **B. Storm Water Facilities Inspection Report**

The annual report shall include a summary report of all storm water facility inspections performed pursuant to Section II.A of this Monitoring and Reporting Program. The report shall include a list of all areas inspected, a description of identified pollutant sources and/or problem areas, and a discussion of any planned or completed maintenance and/or enforcement follow up activities.

##### **C. Construction Site Inspection Report**

The annual report shall include a summary report of all construction inspections performed pursuant to Section II.B of this Monitoring and Reporting Program. The summary report shall include a list of all construction sites inspected, a description of identified problems, and a discussion of any planned or completed enforcement follow up activities.

D. Commercial, Industrial, and Municipal Site Inspection Report

The annual report shall include a summary of all commercial, industrial, and municipal site inspections performed pursuant to Section II.C of this Monitoring and Reporting Program. The summary shall include a list of all commercial, industrial, and municipal sites inspected, a description of identified problems, and a discussion of any planned or completed enforcement follow up activities.

E. Traction Abrasive and Deicing Material Report

The annual report shall include a summary report of the monitoring data collected pursuant to Section II.C of this Monitoring and Reporting Program.

F. Storm Water Monitoring Report

By March 15, 2018 and by **March 15** of each subsequent year of the Permit term, each Permittee shall submit a comprehensive electronic report that summarizes cumulative storm water monitoring results from the catchment load monitoring and BMP effectiveness evaluations conducted during the previous water year (October 1 – September 30).

The storm water monitoring report shall include, at a minimum, the following:

1. A discussion of monitoring purpose and study design and the underlying rationale.
2. Details of the data collection methods, sampling protocols and analytical methods including detection limits.
3. Quality Assurance/Quality Control summaries.
4. Maps and descriptions of all monitoring locations including latitude and longitude coordinates and data obtained at each location.
5. Raw analytical data that includes sample identification, collection date, time and analytical reporting results for all collected samples.
6. Documentation of data management procedure.
7. Details of data analysis, calculations and assumptions used to obtain results and draw conclusions.
8. Catchment outlet monitoring - data tables and graphical data summaries that include seasonal total volume (cubic feet),

seasonal average concentrations (milligrams/liter and number of particles/liter) and load (kilograms and number of particles) of each pollutant outlined in section III.A.4 of this Monitoring and Reporting Program.

9. Catchment outlet monitoring – provide interpretation of annually collected data relative to modeled average annual estimates and conduct an assessment of this data in the context of the water year type (wet, average, dry) using the regional meteorological analysis.
10. For long-term catchment monitoring, provide recent data in context with cumulative comparable results from previous years, noting trends. Consider the season type (wet, average, dry,) for each seasonal data point when evaluating trends and inter-annual variability in catchment results. Compare measured pollutant loads with modeled average annual variables and model outputs.
11. For flow-through BMPs - data tables and graphical data summaries of seasonal volume (cubic feet), average inlet and outlet pollutant concentrations (milligrams/liter and number of particles/liter) and pollutant loads (kilograms and number of particles) for each pollutant outlined in section III.B.4 of this Monitoring and Reporting Program. Permittees shall report the seasonal storm water volume (cubic feet) and pollutant load reduced (kilograms and number of particles) for each pollutant for each season of measure.
12. For hydrologic or pollutant source control BMPs - data tables and graphical summaries of seasonal storm water volumes (cubic feet) (hydrologic source control) as a result of the BMP implementation and maintenance or seasonal pollutant mass (kilograms and number of particles) reduced over the area of land surface subject to the chosen BMP for each pollutant described in Section III.B.4. For multi-year BMP evaluations, provide recent data in context with cumulative comparable results from previous years, noting trends.
13. For BMP monitoring – provide interpretation of annually collected data relative to applicable model parameters and conduct an assessment of this data in the context of the water year type (wet, average, dry) using the regional meteorological analysis.
14. A final monitoring summary including the following values for each monitored location.

Season	Seasonal Volume (cf)	Pollutant	Seasonal Concentration (mg/L)	Seasonal Concentration (# particles/L)	Seasonal Load (kg)
Fall Winter (Oct 1- Feb 28)	x	FSP	x	x	x
		TSS	x		x
		TP	x		x
		TN	x		x
Spring Melt (Mar 1-May 31)	x	FSP	x	x	x
		TSS	x		x
		TP	x		x
		TN	x		x
Summer (June 1- Sept 31)	x	FSP	x	x	x
		TSS	x		x
		TP	x		x
		TN	x		x
Water Year Totals: Total WY precipitation (in/yr)					
Water year type: very dry, dry, average, wet, very wet					
Water Year Total	x	FSP			x
		TSS			x
		TP			x
		TN			x

15. A discussion of lessons learned from storm water monitoring efforts including, but not limited to, catchment water quality improvement strategies, pollutant sources analyses, pollutant fate and transport within sampled catchments, BMP design and/or implementation improvements, and maintenance strategy effectiveness (including techniques or frequency).

16. A discussion of any proposed changes to the storm water monitoring program and the rationale for each proposed change.

If Permittees are working collaboratively to meet the requirements specified in Section III of this Monitoring and Reporting Program, a single report for participating Permittees will be accepted.

#### G. Illicit Discharge Report

To assess compliance with Permit Sections I.A and III.B.5 each Permittee's annual report shall describe actions taken to prevent unauthorized non-storm water discharges and report any identified illicit discharges to its collection, conveyance, and treatment facilities. The report shall include a description of any education, outreach, or inspection activities conducted pursuant to Permit Sections III.B.1, III.B.2, III.B.3 and III.B.4 that support the Permittee's program to prohibit unauthorized non-storm water discharges.

H. Education Component Report

Each Permittee's annual report shall summarize all training and education activities conducted during the previous year, including a list of all education materials distributed and training provided to the public, to municipal employees, and to construction, commercial, industrial, or municipal site operators.

I. Impacts Influencing Baseline Pollutant Loads Report

In the annual report for the 2017 water year, each Permittee shall summarize the assessment conducted pursuant to Monitoring and Reporting Program Section I.G to demonstrate compliance with Permit Order IV.D.

J. Provisions

Permittees shall comply with the "Standard Provisions, Reporting Requirements, and Notifications for NPDES Permits" that is attached to and made part of this Monitoring and Reporting Program as Attachment G.

# ATTACHMENT D

## LAKE CLARITY CREDITING PROGRAM HANDBOOK

Available on the Lake Tahoe TMDL Program Website:

<https://www.enviroaccounting.com/TahoeTMDL/Program/Display/ForUrbanJurisdictions>



## ATTACHMENT E

### WATER QUALITY OBJECTIVES LAKE TAHOE HYDROLOGIC UNIT

Bacteria, Coliform - Waters shall not contain concentrations of coliform organisms attributable to anthropogenic sources, including human and livestock wastes. The fecal coliform concentration during any 30-day period shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of all samples collected during any 30-day period exceed 40/100 ml. The log mean shall ideally be based on a minimum of not less than five samples collected as evenly spaced as practicable during any 30-day period. However, a log mean concentration exceeding 20/100 ml for any 30-day period shall indicate violation of this objective even if fewer than five samples were collected.

Biostimulatory Substances - Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect the water for beneficial uses.

Chemical Constituents - Waters designated as MUN shall not contain concentrations of chemical constituents in excess of the maximum contaminant level (MCL) or secondary maximum contaminant level (SMCL) based upon drinking water standards specified in the following provisions of Title 22 of the California Code of Regulations which are incorporated by reference into the Basin Plan: Table 64431-A of Section 64431 (Inorganic Chemicals), Table 64431-B of Section 64431 (Fluoride), Table 64444-A of Section 64444 (Organic Chemicals), Table 64449-A of Section 64449 (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits), and Table 64449-B of Section 64449 (Secondary Maximum Contaminant Levels-Ranges). This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

Waters designated as AGR shall not contain concentrations of chemical constituents in amounts that adversely affect the water for beneficial uses (i.e., agricultural purposes).

Waters shall not contain concentrations of chemical constituents in amounts that adversely affect the water for beneficial uses.

Chlorine, Total Residual - For the protection of aquatic life, total chlorine residual shall not exceed either a median value of 0.002 mg/L or a maximum value of 0.003 mg/L. Median values shall be based on daily measurements taken within any six-month period.

Color - Waters shall be free of coloration that causes nuisance or adversely affects the water for beneficial uses.

Dissolved Oxygen - The dissolved oxygen concentration, as percent saturation, shall not be depressed by more than 10 percent, nor shall the minimum dissolved oxygen concentration be less than 80 percent of saturation.

For waters with the beneficial uses of COLD, COLD with SPWN, WARM, and WARM with SPWN, the minimum dissolved oxygen concentration shall not be less than that specified in Table 5.1-8.

Floating Materials - Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect the water for beneficial uses.

For natural high quality waters, the concentrations of floating material shall not be altered to the extent that such alterations are discernible at the 10 percent significance level.

Oil and Grease - Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect the water for beneficial uses.

For natural high quality waters, the concentration of oils, greases, or other film or coat generating substances shall not be altered.

Nondegradation of Aquatic Communities and Populations - All wetlands shall be free from substances attributable to wastewater or other discharges that produce adverse physiological responses in humans, animals, or plants; or which lead to the presence of undesirable or nuisance aquatic life.

All wetlands shall be free from activities that would substantially impair the biological community as it naturally occurs due to physical, chemical and hydrologic processes.

Pesticides - For the purposes of this Basin Plan, pesticides are defined to include insecticides, herbicides, rodenticides, fungicides, piscicides and all other economic poisons. An economic poison is any substance intended to prevent, repel, destroy, or mitigate the damage from insects, rodents, predatory animals, bacteria, fungi or weeds capable of infesting or harming vegetation, humans, or animals (CA Agriculture Code § 12753).

Pesticide concentrations, individually or collectively, shall not exceed the lowest detectable levels, using the most recent detection procedures available.

There shall not be an increase in pesticide concentrations found in bottom sediments. There shall be no detectable increase in bioaccumulation of pesticides in aquatic life.

Waters designated as MUN shall not contain concentrations of pesticides or herbicides in excess of the limiting concentrations specified in Table 64444-A of Section 64444 (Organic Chemicals) of Title 22 of the California Code of Regulations which is incorporated by reference into this plan. This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

pH - In fresh waters with designated beneficial uses of COLD, changes in normal ambient pH levels shall not exceed 0.5 pH units. For all other waters, the pH shall not be depressed below 6.5 nor raised above 8.5.

The Regional Board recognizes that some waters of the Region may have natural pH levels outside of the 6.5 to 8.5 range. Compliance with the pH objective for these waters will be determined on a case-by-case basis.

In Lake Tahoe, the pH shall not be depressed below 7.0 nor raised above 8.4.

Radioactivity - Radionuclides shall not be present in concentrations which are deleterious to human, plant, animal, or aquatic life or which result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.

Waters designated as MUN shall not contain concentrations of radionuclides in excess of the limits specified in Table 4 of Section 64443 (Radioactivity) of Title 22 of the California Code of Regulations which is incorporated by reference into this plan. This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

Sediment - The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect the water for beneficial uses.

Settleable Materials - Waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or that adversely affects the water for beneficial uses. For natural high quality waters, the concentration of settleable materials shall not be raised by more than 0.1 milliliter per liter.

Suspended Materials - Waters shall not contain suspended materials in concentrations that cause nuisance or that adversely affects the water for beneficial uses.

For natural high quality waters, the concentration of total suspended materials shall not be altered to the extent that such alterations are discernible at the 10 percent significance level.

Suspended Sediment - Suspended sediment concentrations in streams tributary to Lake

Tahoe shall not exceed a 90<sup>th</sup> percentile value of 60 mg/L. (This objective is equivalent to the Tahoe Regional Planning Agency's regional "environmental threshold carrying capacity" standard for suspended sediment in tributaries.) The Regional Board will consider revision of this objective in the future if it proves not to be protective of beneficial uses or if review of monitoring data indicates that other numbers would be more appropriate for some or all streams tributary to Lake Tahoe.

Taste and Odor- Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish or other edible products of aquatic origin, that cause nuisance, or that adversely affect the water for beneficial uses. For naturally high quality waters, the taste and odor shall not be altered.

Temperature - The natural receiving water temperature of all waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such an alteration in temperature does not adversely affect the water for beneficial uses.

For waters designated COLD, the temperature shall not be altered.

Temperature objectives for COLD interstate waters and WARM interstate waters are as specified in the "Water Quality Control Plan for Control of Temperature in The Coastal and Interstate Waters and Enclosed Bays and Estuaries of California" including any revisions. This plan is summarized in Basin Plan Chapter 6 (Plans and Policies) and included in Appendix B.

Toxicity - All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, bioassays of appropriate duration and/or other appropriate methods as specified by the Regional Board. The survival of aquatic life in surface waters subjected to a waste discharge, or other controllable water quality factors, shall not be less than that for the same water body in areas unaffected by the waste discharge, or when necessary, for other control water that is consistent with the requirements for "experimental water" as defined in Standard Methods for the Examination of Water and Wastewater (American Public Health Association, et al. 1998).

Turbidity - Waters shall be free of changes in turbidity that cause nuisance or adversely affect the water for beneficial uses. Increases in turbidity shall not exceed natural levels by more than 10 percent.

Algal Growth Potential - For Lake Tahoe, the mean algal growth potential at any point in the Lake shall not be greater than twice the mean annual algal growth potential at the limnetic reference station. The limnetic reference station is located in the north central portion of Lake Tahoe. It is shown on maps in annual reports of the Lake Tahoe

Interagency Monitoring Program. Exact coordinates can be obtained from the U.C. Davis Tahoe Research Group.

Biological Indicators - For Lake Tahoe, algal productivity and the biomass of phytoplankton, zooplankton, and periphyton shall not be increased beyond the levels recorded in 1967-71, based on statistical comparison of seasonal and annual means. The "1967-71 levels" are reported in the annual summary reports of the "CaliforniaNevada-Federal Joint Water Quality Investigation of Lake Tahoe" published by the California Department of Water Resources.

Clarity - For Lake Tahoe, the vertical extinction coefficient shall be less than 0.08 per meter when measured below the first meter. When water is too shallow to determine a reliable extinction coefficient, the turbidity shall not exceed 3 Nephelometric Turbidity Units (NTU). In addition, turbidity shall not exceed 1 NTU in shallow waters not directly influenced by stream discharges. The Regional Board will determine when water is too shallow to determine a reliable vertical extinction coefficient based upon its review of standard limnological methods and on advice from the U.C. Davis Tahoe Research Group.

Conductivity, Electrical - In Lake Tahoe, the mean annual electrical conductivity shall not exceed 95 umhos/cm at 50°C at any location in the Lake.

Plankton Counts - For Lake Tahoe, the mean seasonal concentration of plankton organisms shall not be greater than 100 per ml and the maximum concentration shall not be greater than 500 per ml at any point in the Lake.

**WATER QUALITY OBJECTIVES FOR CERTAIN WATER BODIES  
LAKE TAHOE HYDROLOGIC UNIT**

	Surface Waters	Objective (mg/L except as noted) <sup>1,2</sup>						
		TDS	Cl	SO <sub>4</sub>	B	N	P	Fe
1	Lake Tahoe	<u>60</u> 65	<u>3.0</u> 4.0	<u>1.0</u> 2.0	<u>0.01</u> -	<u>0.15</u> -	<u>0.008</u> -	--
2	Fallen Leaf Lake	<u>50</u> -	<u>0.30</u> 0.50	<u>1.3</u> 1.4	<u>0.01</u> 0.02	See Table 5.1-4 for additional objectives		
3	Griff Creek	<u>80</u> -	<u>0.40</u> -	--	--	<u>0.19</u> -	<u>0.010</u> -	<u>0.03</u> -
4	Carnelian Bay Creek	<u>80</u> -	<u>0.40</u> -	--	--	<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -
5	Watson Creek	<u>80</u> -	<u>0.35</u> -	--	--	<u>0.22</u> -	<u>0.015</u> -	<u>0.04</u> -
6	Dollar Creek	<u>80</u> -	<u>0.30</u> -	--	--	<u>0.16</u> -	<u>0.030</u> -	<u>0.03</u> -
7	Burton Creek	<u>90</u> -	<u>0.30</u> -	--	--	<u>0.16</u> -	<u>0.015</u> -	<u>0.03</u> -
8	Ward Creek	<u>70</u> 85	<u>0.30</u> 0.50	<u>1.4</u> 2.8	--	<u>0.15</u> -	<u>0.015</u> -	<u>0.03</u> -
9	Blackwood Creek	<u>70</u> 90	<u>0.30</u> -	--	--	<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -
10	Madden Creek	<u>60</u> -	<u>0.10</u> 0.20	--	--	<u>0.18</u> -	<u>0.015</u> -	<u>0.015</u> -
11	McKinney Creek	<u>55</u> -	<u>0.40</u> 0.50	--	--	<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -
12	General Creek	<u>50</u> 90	<u>1.0</u> 1.5	<u>0.4</u> 0.5	--	<u>0.15</u> -	<u>0.015</u> -	<u>0.03</u> -
13	Meeks Creek	<u>45</u> -	<u>0.40</u> -	--	--	<u>0.23</u> -	<u>0.010</u> -	<u>0.07</u> -
14	Lonely Gulch Creek	<u>45</u> -	<u>0.30</u> -	--	--	<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -
	continued...							

See Fig. 5.1-1	Surface Waters	Objective (mg/L except as noted) <sup>1,2</sup>						
		TDS	Cl	SO <sub>4</sub>	B	N	P	Fe
15	Eagle Creek	<u>35</u> -	<u>0.30</u> -	--	--	<u>0.20</u> -	<u>0.010</u> -	<u>0.03</u> -
16	Cascade Creek	<u>30</u> -	<u>0.40</u> -	--	--	<u>0.21</u> -	<u>0.005</u> -	<u>0.01</u> -
17	Tallac Creek	<u>60</u> -	<u>0.40</u> -	--	--	<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -
18	Taylor Creek	<u>35</u> -	<u>0.40</u> 0.50	--	--	<u>0.17</u> -	<u>0.010</u> -	<u>0.02</u> -
19	Upper Truckee River	<u>55</u> <u>75</u>	<u>4.0</u> <u>5.5</u>	<u>1.0</u> <u>2.0</u>		<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -
20	Trout Creek	<u>50</u> <u>60</u>	<u>0.15</u> <u>0.20</u>	--	--	<u>0.19</u> -	<u>0.015</u> -	<u>0.03</u> -

<sup>1</sup> Annual average value/90th percentile value.

<sup>2</sup> Objectives are as mg/L and are defined as follows:

B Boron

Cl Chloride

SO<sub>4</sub> Sulfate

Fe Iron, Total

N Nitrogen, Total

P Phosphorus, Total

TDS Total Dissolved Solids (Total Filterable Residues)

## Compliance with Water Quality Objectives

This section includes general direction on determining compliance with the nondegradation, narrative and numerical objectives described in this Chapter. (Specific direction on compliance with certain objectives is included, in italics, following the text of the objective.) It is not feasible to cover all circumstances and conditions which could be created by all discharges. Therefore, it is within the discretion of the Regional Board to establish other, or additional, direction on compliance with objectives of this Plan. Where more than one objective is applicable, the **stricter objective shall apply**. (The only exception is where a regionwide objective has been superseded by the adoption of a site-specific objective by the Regional Board.) Where objectives are not specifically designated, downstream objectives apply to upstream tributaries.

### Narrative and Numerical Objectives

The sections below provide additional direction on determining compliance with the narrative and numerical objectives of this Basin Plan.

#### ***Pollution and/or Nuisance***

In determining compliance with narrative objectives which include the terms "pollution" and or "nuisance," the Regional Board considers the following definitions from the Porter-Cologne Water Quality Control Act.

**Pollution** -- an alteration of the waters of the State by waste to the degree which unreasonably affects either of the following:

- such waters for beneficial uses.
- facilities which serve these beneficial uses.

"Pollution" may include "contamination." Contamination means an impairment of the quality of the waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination includes any equivalent effect resulting from the disposal of waste, whether or not waters of the State are affected.

**Nuisance** -- Anything which meets all of the following requirements:

- Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
- Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
- Occurs during or as a result of the treatment or disposal of wastes.

#### ***References to Taste and Odor, Human Health and Toxicity (also see "acute toxicity" and "chronic toxicity," below):***

In determining compliance with objectives including references to Taste and Odor, Human Health or Toxicity, the Regional Board will consider as evidence relevant and scientifically valid water quality goals from sources such as drinking water standards from the California Department of Health Services (State "Action Levels"), the National Interim Drinking Water Standards, Proposition 65 Lawful Levels, National Ambient Water Quality Criteria (USEPA's "Quality Criteria for Water" for the years 1986, 1976 and 1972; "Ambient Water Quality Criteria," volumes 1980, 1984, 1986, 1987 and 1989), the National Academy of Sciences' Suggested No-Adverse-Response Levels (SNARL), USEPA's Health and Water Quality Advisories, as well as other relevant and scientifically valid evidence.

#### ***References to Agriculture or AGR designations:***

In determining compliance with objectives including references to the AGR designated use, the Regional Board will refer to water quality goals and recommendations from sources such as the Food and Agriculture Organization of the United Nations, University of California Cooperative Extension, Committee of Experts, and McKee and Wolf's "Water Quality Criteria" (1963).

#### ***References to "Natural High Quality Waters":***

The Regional Board generally considers "natural high quality water(s)" to be those waters with ambient water quality equal to, or better than, current drinking water standards. However, the Regional Board also recognizes that some waters with poor chemical quality may support important ecosystems (e.g., Mono Lake).

#### ***References to "10 percent significance level":***



A statistical hypothesis is a statement about a random variable's probability distribution, and a decision-making procedure about such a statement is a hypothesis test. In testing a hypothesis concerning the value of a population mean, the null hypothesis is often used. The null hypothesis is that there is no difference between the population means (e.g., the mean value of a water quality parameter after the discharge is no different than before the discharge.) First a level of significance to be used in the test is specified, and then the regions of acceptance and rejection for evaluating the obtained sample mean are determined.

At the **10 percent significance level**, assuming normal distribution, the acceptance region (where one would correctly accept the null hypothesis) is the interval which lies under 90 percent of the area of the standard normal curve. Thus, a level of **significance of 10 percent** signifies that when the population mean is correct as specified, the sample mean will fall in the areas of rejection only 10 percent of the time.

If the hypothesis is rejected when it should be accepted, a Type I error has been made. In choosing a **10 percent level of significance**, there are 10 chances in 100 that a Type I error was made, or the hypothesis was rejected when it should have been accepted (i.e., one is 90 percent confident that the right decision was made.)

The **10 percent significance level** is often incorrectly referred to as the 90 percent significance level. As explained above, the significance level of a test should be low, and the confidence level of a confidence interval should be high.

**References to "Means" (e.g., annual mean, mean of monthly means), "Medians" and "90th percentile values":**

"**Mean**" is the arithmetic mean of all data. "**Annual mean**" is the arithmetic mean of all data collected in a one-year period. "**Mean of monthly mean**" is the arithmetic mean of 30-day averages (arithmetic means). The **median** is the value which half of the values of the population exceed and half do not. The **average value** is the arithmetic mean of all data. For a **90th percentile value**, only 10% of data exceed this value.

Compliance determinations shall be based on available analyses for the time interval associated with the discharge. If only one sample is collected

during the time period associated with the water quality objective, (e.g., monthly mean), that sample shall serve to characterize the discharge for the entire interval. Compliance based upon multiple samples shall be determined through the application of appropriate statistical methods.

**Standard Analytical Methods to Determine Compliance with Objectives** Analytical methods to be used are usually specified in the monitoring requirements of the waste discharge permits. Suitable analytical methods are:

- those specified in 40 CFR Part 136, and/or
- those methods determined by the Regional Board and approved by the USEPA to be equally or more sensitive than 40 CFR Part 136 methods and appropriate for the sample matrix, and/or
- where methods are not specified in 40 CFR Part 136, those methods determined by the Regional Board to be appropriate for the sample matrix

All analytical data shall be reported uncensored with method detection limits and either practical quantitation levels or limits of quantitation identified. Acceptance of data should be based on demonstrated laboratory performance.

For **bacterial analyses**, sample dilutions should be performed so the range of values extends from 2 to 16,000. The detection method used for each analysis shall be reported with the results of the analysis. Detection methods used for coliforms (total and fecal) shall be those presented in Standard Methods for the Examination of Water and Wastewater (American Public Health Association et al. 1992), or any alternative method determined by the Regional Board to be appropriate.

For **acute toxicity**, compliance shall be determined by short-term toxicity tests on undiluted effluent using an established protocol (e.g., American Society for Testing and Materials [ASTM], American Public Health Association, USEPA, State Board).

For **chronic toxicity**, compliance shall be determined using the critical life stage (CLS) toxicity tests. At least three approved species shall be used to measure compliance with the toxicity objective. If possible, test species shall include a vertebrate, an invertebrate, and an aquatic plant. After an initial

screening period, monitoring may be reduced to the most sensitive species. Dilution and control waters should be obtained from an unaffected area of the receiving waters. For rivers and streams, dilution water should be obtained immediately upstream of the discharge. Standard dilution water can be used if the above sources exhibit toxicity greater than 1.0 Chronic Toxicity Units. All test results shall be reported to the Regional Board in accordance with the "Standardized Reporting Requirements for Monitoring Chronic Toxicity" (State Board Publication No. 93-2 WQ).

***Application of Narrative and Numerical Water Quality Objectives to Wetlands***

Although not developed specifically for wetlands, many surface water **narrative objectives** are generally applicable to most wetland types. However, the Regional Board recognizes, as with other types of surface waters such as saline or alkaline lakes, that natural water quality characteristics of some wetlands may not be within the range for which the narrative objectives were developed. The Regional Board will consider site-specific adjustments to the objectives for wetlands (bacteria, pH, hardness, salinity, temperature, or other parameters) as necessary on a case-by-case basis.

The **numerical criteria** to protect one or more beneficial uses of surface waters, where appropriate, may directly apply to wetlands. For example, wetlands which actually are, or which recharge, municipal water supplies should meet human health criteria. The USEPA numeric criteria for protection of freshwater aquatic life, as listed in Quality Criteria for Water—1986, although not developed specifically for wetlands, are generally applicable to most wetland types. As with other types of surface waters, such as saline or alkaline lakes, natural water quality characteristics of some wetlands may not be within the range for which the criteria were developed. Adjustments for pH, hardness, salinity, temperature, or other parameters may be necessary. The Regional Board will consider developing site-specific objectives for wetlands on a case-by-case basis.

## **ATTACHMENT G**

### **STANDARD PROVISIONS, REPORTING REQUIREMENTS, AND NOTIFICATIONS FOR NPDES PERMITS**

#### **A. Standard Permit Provisions**

Code of Federal Regulations Title 40 section 122.41 (40 CFR 122.41) includes conditions, or provisions, that apply to all National Pollution Discharge Elimination System (NPDES) permits. Additional provisions applicable to NPDES permits are in 40 CFR 122.42. All applicable provisions in 40 CFR 122.41 and 40 CFR 122.42 shall be incorporated into this Order and NPDES permit. The applicable 40 CFR 122.41 and 40 CFR 122.42 provisions are as follows:

##### **1. Duty to Comply [CFR 122.41(a)]**

The Permittees shall comply with all of the provisions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

- a. The Permittees shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement. [40 CFR 122.41(a)(1); California Water Code (Water Code) sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350, 13385]]
- b. The CWA provides that any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under Section 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who negligently violates Section 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any condition or limitation implementing any of such sections in a permit issued under Section 402 of the CWA, or any requirement imposed in a pretreatment program approved under Section

402(a)(3) or 402(b)(8) of the CWA, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates Section 301, 302, 303, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than fifteen (15) years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than thirty (30) years, or both. An organization, as defined in Section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions. [40 CFR 122.41(a)(2)].

- c. Any person may be assessed an administrative penalty by the Lahontan Regional Water Quality Control Board (Water Board), State Water Resources Control Board (State Water Board), or United States Environmental Protection Agency (USEPA) for violating Section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000. [40 CFR 122.41(a)(3)].

**2. Duty to Reapply [40 CFR 122.41(b)]**

If the Permittees wish to continue an activity regulated by this permit after the expiration date of this permit, the Permittee shall apply for and obtain a new permit.

**3. Need to Halt or Reduce Activity Not A Defense [40 CFR 122.41(c)]**

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**4. Duty to Mitigate [40 CFR 122.41(d)]**

The Permittees shall take all reasonable steps to minimize or prevent any discharge or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

**5. Proper Operation and Maintenance [40 CFR 122.41(e)]**

The Permittees shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

**6. Permit Actions [40 CFR 122.41(f)]**

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by a Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**7. Property Rights [40 CFR 122.41(g)]**

This permit does not convey any property rights of any sort, or any exclusive privilege.

## **8. Duty to Provide Information [40 CFR 122.41(h)]**

Permittees shall furnish to the Lahontan Water Board, State Water Board, or USEPA within a reasonable time, any information which the Lahontan Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also furnish to the Lahontan Water Board, State Water Board, or USEPA upon request, copies of records required to be kept by this permit.

## **9. Inspection and Entry [40 CFR 122.41(i)]**

The Permittees shall allow the Lahontan Water Board, State Water Board, USEPA, and/or their authorized representative (including an authorized contractor acting as their representative), upon presentation of credentials and other documents as may be required by law, to [33 United States Code section 1318(a)(4)(B); 40 CFR 122.41(i); California Water Code sections 13267 and 13383]:

- a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records shall be kept under the conditions of this permit; [40 CFR 122.41(i)(1)]
- b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this permit; [40 CFR 122.41(i)(2)]
- c. Inspect and photograph at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; [40 CFR 122.41(i)(3)] and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location. [40 CFR 122.41(i)(4)]

## **10. Monitoring and Records [40 CFR 122.41(j); 40 CFR 122.44(i)]**

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. [40 CFR 122.41(j)(1)]
- b. The Permittees shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation,

copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Lahontan Water Board at any time. [40 CFR 122.41(j)(2)]

- c. Records for monitoring information shall include: [40 CFR 122.41(j)(3)]
  - i. The date, exact place, and time of sampling or measurements; [40 CFR 122.41(j)(3)(i)] i
  - ii. The individual(s) who performed the sampling or measurements; [40 CFR 122.41(j)(3)(ii)]
  - iii. The date(s) analyses were performed; [40 CFR 122.41(j)(3)(iii)]
  - iv. The individual(s) who performed the analyses; [40 CFR 122.41(j)(3)(iv)]
  - v. The analytical techniques or methods used; [40 CFR 122.41(j)(3)(v)] and
  - vi. The results of such analyses. [40 CFR 122.41(j)(3)(vi)]
- d. Monitoring shall be conducted according to test procedures under 40 CFR Part 136 unless another method is required under 40 CFR Subchapters N or O. [40 CFR 122.41(j)(4)] In the case of pollutants for which there are no approved methods under 40 CFR Part 136 or otherwise required under 40 CFR Subchapters N and O, monitoring shall be conducted according to a test procedure specified in the permit for such pollutants. [40 CFR 122.44(i)(1)(iv)]
- e. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than two (2) years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or both. [40 CFR 122.41(j)(5)]

## **11. Signatory Requirement [40 CFR 122.41(k); 40 CFR 122.22(a)-(d)]**

- a. All applications, reports, or information submitted to the Lahontan Board, State Water Board, or USEPA shall be signed and certified. (See 40 CFR 122.22) [40 CFR 122.41(k)(1)]
  - i. For a municipality, State, Federal, or other public agency. [All applications shall be signed] [b]y either a principal executive officer or ranking elected official. [40 CFR 122.22(a)(3)]
  - ii. All reports required by permits, and other information requested by the Lahontan Water Board, State Water Board, or USEPA shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if: [40 CFR 122.22(b)]
    - (1) The authorization is made in writing by a person described in paragraph (a) of this section; [40 CFR 122.22(b)(1)]
    - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) [40 CFR 122.22(b)(2)] and,
    - (3) The written authorization is submitted to the Lahontan Water Board and State Water Board. [40 CFR 122.22(b)(3)].
  - iii. Changes to authorization. If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section shall be submitted to the Lahontan Water Board prior to or together with any reports, information, or applications to be signed by an authorized representative. [40 CFR 122.22(c)]
  - iv. Certification. Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:



"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR 122.22(d)]

- b. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both. [40 CFR 122.41(k)(2)]

## **12. Reporting Requirements [40 CFR 122.41(l)]**

- a. Planned changes. The Permittee shall give notice to the Lahontan Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when: [40 CFR 122.41(l)(1)]
  - i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); [40 CFR 122.41(l)(1)(i)] or
  - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1). [40 CFR 122.41(l)(1)(ii)]
  - iii. The alteration or addition results in a significant change in the Permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. [40 CFR 122.41(l)(1)(iii)]

- b. Anticipated noncompliance. The Permittee shall give advance notice to the Lahontan Water Board of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. [40 CFR 122.41(l)(2)]
- c. Transfers. This permit is not transferable to any person except after notice to the Lahontan Water Board. The Lahontan Water Board may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the CWA. [40 CFR 122.41(l)(3)]
- d. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit. [40 CFR 122.41(l)(4)]
  - i. Monitoring results shall be reported as specified by the Lahontan Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. [40 CFR 122.41(l)(4)(i)]
  - ii. If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or another method required for an industry-specific waste stream under 40 CFR Subchapters N or O, the results of this monitoring shall be included in the calculation and reporting of the data submitted to the Lahontan Water Board or State Water Board.
  - iii. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit. [40 CFR 122.41(l)(4)(iii)]
- e. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date. [40 CFR 122.41(l)(5)]
- f. Twenty-four hour reporting.
  - i. The Permittees shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Permittee becomes aware of the circumstances. The written

submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 CFR 122.41(l)(6)(i)]

- ii. The Lahontan Water Board may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours. [40 CFR 122.41(l)(6)(iii)]
- g. Other noncompliance. The Permittees shall report all instances of noncompliance not reported in accordance with the standard provisions required under 40 CFR 122.41(l)(4), (5), and (6), at the time monitoring reports are submitted. The reports shall contain the information listed in the standard provisions required under 40 CFR 122.41(l)(6). [40 CFR 122.41(l)(7)]
- h. Other information. When the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Lahontan Water Board, State Water Board, or USEPA, the Permittee shall promptly submit such facts or information.

### **13. Bypass [40 CFR 122.41(m)]**

- a. Definitions.
  - i. *Bypass* means the intentional diversion of waste streams from any portion of a treatment facility. [40 CFR 122.41(m)(1)(i)] or
  - ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [40 CFR 122.41(m)(1)(ii)]
- b. Bypass not exceeding limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the standard provisions required under 40 CFR 122.41(m)(3) and (4). [40 CFR 122.41(m)(2)]

c. Notice.

- i. Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit a notice, if possible at least ten (10) days before the date of the bypass. [40 CFR 122.41(m)(3)(i)] or
- ii. Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass in accordance with the standard provisions required under 40 CFR 122.41(l)(6) (24-hour notice). [40 CFR 122.41(m)(3)(ii)]

d. Prohibition of Bypass.

- i. Bypass is prohibited, and the Lahontan Water Board may take enforcement action against a Permittee for bypass, unless: [40 CFR 122.41(m)(4)(i)]
  - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; [40 CFR 122.41(m)(4)(i)(A)]
  - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; [40 CFR 122.41(m)(4)(i)(B)] and,
  - (3) The Permittee submitted notices in accordance with the standard provisions required under 40 CFR 122.41(m)(3). [40 CFR 122.41(m)(4)(i)(C)]
- ii. The Lahontan Water Board may approve an anticipated bypass, after considering its adverse effects, if the Lahontan Water Board determines that it will meet the three (3) conditions listed above. [40 CFR 122.41(m)(4)(ii)]

**14. Upset [40 CFR 122.41(n)]**

- a. Definition. *Upset* means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include

noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [40 CFR 122.41(n)(1)]

- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the standard provisions required under 40 CFR 122.41(n)(3) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. [40 CFR 122.41(n)(2)]
- c. Conditions necessary for a demonstration of upset. A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that: [40 CFR 122.41(n)(3)]
  - i. An upset occurred and that the Permittee can identify the cause(s) of the upset; [40 CFR 122.41(n)(3)(i)]
  - ii. The permitted facility was at the time being properly operated; [40 CFR 122.41(n)(3)(ii)] and
  - iii. The Permittee submitted notice of the upset in accordance with the standard provisions required under 40 CFR 122.41(l)(6)(ii)(B) (24-hour notice). [40 CFR 122.41(n)(3)(iii)]
  - iv. The Permittee complied with any remedial measures pursuant to the standard provisions required under 40 CFR 122.41(d). [40 CFR 122.41(n)(3)(iii)]
- d. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof. [40 CFR 122.41(n)(4)]

**15. Standard Permit Provisions For Municipal Separate Storm Sewer Systems [40 CFR 122.42(c)]**

The operator of a small, medium, or large MS4 or a municipal separate storm sewer that has been designated by the Lahontan Water Board under 40 CFR 122.26(a)(1)(v) shall submit an annual report by the anniversary of the date of the issuance of the permit for such system. The report shall include:

- a. The status of implementing the components of the Storm Water Management Program that are established as permit conditions; [40 CFR 122.42(c)(1)]
- b. Proposed changes to the Storm Water Management Program that are established as permit conditions. Such proposed changes shall be consistent with 40 CFR 122.26(d)(2)(iii); [40 CFR 122.42(c)(2)] and
- c. Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under 40 CFR 122.26(d)(2)(iv) and (v); [40 CFR 122.42(c)(3)]
- d. A summary of data, including monitoring data, that is accumulated throughout the reporting year; [40 CFR 122.42(c)(4)]
- e. Annual expenditures and budget for year following each annual report; [40 CFR 122.42(c)(5)]
- f. A summary describing the number and nature of enforcement actions, inspections, and public education programs; [40 CFR 122.42(c)(6)]
- g. Identification of water quality improvements or degradation. [40 CFR 122.42(c)(7)]

**16. Standard Permit Provisions For Storm Water Discharges [40 CFR 122.42(d)]**

The initial permits for discharges composed entirely of storm water issued pursuant to 40 CFR 122.26(e)(7) shall require compliance with the conditions of the permit as expeditiously as practicable, but in no event later than three (3) years after the date of issuance of the permit.

**B. General Provisions**

In addition to the standard provisions required to be incorporated into the Order and NPDES permit pursuant to 40 CFR 122.22, 122.41, 122.42, 122.44, and 40 CFR Part 136 several other general provisions apply to this Order. The general provisions applicable to this Order and NPDES permit are as follows:

## **1. Discharge of Waste Is a Privilege**

No discharge of waste into the waters of the State, whether or not such discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the State are privileges, not rights. [Water Code section 13263(g)]

## **2. Duration of Order and NPDES Permit**

- a. Effective date. This Order and NPDES permit becomes effective on 100 days after its adoption provided the USEPA has no objection. If the USEPA objects to its issuance, this Order shall not become effective until such objection is withdrawn.

As of the effective coverage date specified in the Permittee's application for coverage, this Order shall supersede the applicability of any preexisting order or permit regulating the operation of, and discharges from, the Permittee's MS4. The Lahontan Water Board retains continuing authority to take enforcement action for violations of such preexisting orders or permits that occurred prior to the Permittee's effective coverage date under this Order.

- b. Expiration. This Order and NPDES permit expires five (5) years after its effective date. [40 CFR 122.46(a)]
- c. Continuation of expired order. After this Order and NPDES permit expires, the terms and conditions of this Order and NPDES permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on the continuation of expired permits (40 CFR 122.6) are complied with.

## **3. Availability**

A copy of this Order shall be kept at a readily accessible location and shall be available to on-site personnel at all times.

## **4. Confidentiality of Information**

Except as provided for in 40 CFR 122.7, no information or documents submitted in accordance with or in application for this Order will be considered confidential and all such information and documents shall be available for review by the public at the Lahontan Water Board office. Claims of confidentiality for the following information will be denied: [40 CFR 122.7(b)]

- a. The name and address of any permit applicant or Permittee; [40 CFR 122.7(b)(1)] and
- b. Permit applications and attachments, permits, and effluent data. [40 CFR 122.7(b)(2)]

## **5. Effluent Limitations**

- a. Interim effluent limitations. The Permittee shall comply with any interim effluent limitations as established by addendum, enforcement action, or revised waste discharge requirements which have been, or may be, adopted by the Lahontan Water Board.
- b. Other effluent limitations and standards of sections 301, 302, 303, 307, 318 and 405 of CWA. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in the permit, the Lahontan Water Board shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition. [40 CFR 122.44(b)(1)]

## **6. Permit Actions**

The filing of a request by the Permittee for modification, revocation and reissuance, or termination of this Order, or a notification of planned change in or anticipated noncompliance with this Order does not stay any condition of this Order. (See 40 CFR 122.41(f)) In addition, the following provisions apply to this Order:

- a. Upon application by any affected person, or on its own motion, the Lahontan Water Board may review and revise the requirements in this Order. All requirements shall be reviewed periodically. [Water Code section 13263(e)]
- b. This Order may be terminated or modified for cause, including, but not limited to, all of the following: [Water Code section 13381]
  - i. Violation of any condition contained in the requirements of this Order. [Water Code section 13381(a)]
  - ii. Obtaining the requirements in this Order by misrepresentation, or failure to disclose fully all relevant facts. [Water Code section 13381(b)]



- iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.  
[Water Code section 13381(c)]
- c. When this Order is transferred to a new owner or operator, such requirements as may be necessary under the Water Code can be incorporated into this Order.

## **7. Monitoring**

In addition to the standard provisions required under 40 CFR 122.41(j) and (l)(4), the following general monitoring provisions apply to this Order:

- a. Where procedures are not otherwise specified in Order, sampling, analysis and quality assurance/quality control shall be conducted in accordance with the Quality Assurance Management Plan (QAMP) for the State of California's Surface Water Ambient Monitoring Program (SWAMP), adopted by the State Water Resources Control Board.
- b. Pursuant to 40 CFR 122.41(j)(2) and Water Code section 13383(a), the Permittees shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five (5) years from the date of the sample, measurement, report or application. This period may be extended by request of the Lahontan Water Board at any time.
- c. All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health or a laboratory approved by Lahontan Water Board staff.
- d. Each monitoring report submitted with an Annual Report to the Lahontan Water Board shall include flow measurements for each sampling event and a spreadsheet of water quality monitoring with the sampling event identifier, site code, sample type, date and time sampled, analyte and fraction, methods, results, including nondetections, reporting and minimum detection limits, units, laboratory names and locations, lowest water quality objective and source, and whether or not the result was an exceedance.

## **8. Enforcement**

- a. The Lahontan Water Board is authorized to enforce the terms of this Order under several provisions of the Water Code, including, but not limited to, Water Code sections 13385, 13386, and 13387.
- b. Nothing in this Order shall be construed to protect the Permittee from its liabilities under federal, state, or local laws.
- c. The Water Code provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the CWA.
- d. Except as provided in the standard conditions required under 40 CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance.
- e. Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 of the CWA.
- f. Nothing in this Order shall be construed to preclude institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the CWA.

## **9. Severability**

The provisions of this Order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected thereby.

## **10. Applications**

Any application submitted by the Permittee for reissuance or modification of this Order shall satisfy all applicable requirements specified in federal regulations as well as any additional requirements for submittal of a Notice of Intent specified in the Water Code and the California Code of Regulations.

## **11. Implementation**

All plans, reports and subsequent amendments submitted in compliance with this Order shall be implemented immediately (or as otherwise specified). All submittals by the Permittee shall be adequate to implement the requirements of this Order.

## **12. Modification of Order**

This Order may be modified, revoked, and reissued, or terminated for cause due to promulgation of amended regulations, receipt of USEPA guidance concerning regulated activities, judicial decision, or in accordance with 40 CFR 122.62, 122.63, 122.64, and 124.5. The Lahontan Water Board may additionally reopen and modify this Order at any time prior to its expiration, after opportunity for public comment and a public hearing in accordance with the following circumstances:

- a. If the Lahontan Water Board determines that revisions are warranted to those provisions of the Order (a) addressing compliance with water quality objectives or water quality standards in the receiving water; and/or (b) those provisions of the Order establishing an iterative process for implementation of management practices to assure compliance with water quality standards in the receiving waters.
- b. Minor modifications to the Order may be made by the Lahontan Water Board where the proposed modification complies with all the prohibitions and limitations, and other requirements of this Order.
- c. Proposed modifications to the Order that are not minor require amendment of this Order in accordance with this Order's rules, policies, and procedures.
- d. New or revised water quality objectives come into effect, or any TMDL is adopted or revised (i.e., TMDL-specific permit requirements) that is applicable to the Permittee. E
- e. New programs, policies or plans come into effect that are applicable to the Permittee.

## **13. Report Submittals**

- a. All report submittals shall include an executive summary, introduction, conclusion, recommendations, and signed certified statement.

- b. Each Permittee shall submit a signed certified statement covering its responsibilities for each applicable submittal.
- c. The Permittee shall submit a signed certified statement covering its responsibilities for each applicable submittal and the sections of the submittals for which it is responsible.
- d. Unless otherwise directed, the Permittee shall submit electronic copies of each report required under this Order to the Lahontan Water Board,
- e. The Permittee shall submit reports and provide notifications as required by this Order to the following:

EXECUTIVE OFFICER  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION  
2501 LAKE TAHOE BOULEVARD  
SOUTH LAKE TAHOE, CA 96150  
Telephone: (530) 542-5400 Fax: (530) 544-2271

**APPENDIX C)**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-  
LAHONTAN REGION**

**BOARD ORDER R6T-201\* -\$( )**

## Lahontan Regional Water Quality Control Board

August 10, 2016

WDID 6A091606002

Donaldo Palaroan, P.E.  
El Dorado County Transportation Division  
924B Emerald Bay Road  
South Lake Tahoe, CA 96150  
[donaldo.palaroan@edcgov.us](mailto:donaldo.palaroan@edcgov.us)

### **Board Order No. R6T-2016-0045, Clean Water Act Section 401 Water Quality Certification for the Meyers Stream Environment Zone Erosion Control Project, Meyers, El Dorado County**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) has received a complete Clean Water Act (CWA) section 401 Water Quality Certification (WQC) application and filing fee from El Dorado County Transportation Division (Applicant) for the Meyers Stream Environment Zone Erosion Control Project (Project) in El Dorado County. The application received on July 1, 2016 was deemed complete on July 14, 2016. This WQC hereby assigns this Project the following reference number: Waste Discharge Identification (WDID) No. 6A091606002. Please use this reference number in all future correspondence regarding this Project.

Any person aggrieved by this action of the Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations (CCR), title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this WQC, except that if the thirtieth day following the date of this WQC falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

### **PROJECT DESCRIPTION**

#### **Table of Project Information:**

WDID Number	6A091606002
Applicant	Donaldo Palaroan, P.E. El Dorado County Transportation Division 924B Emerald Bay Road South Lake Tahoe, CA 96150
Agent	None
Project Name	Meyers Stream Environment Zone Erosion Control Project

AMY L. HORNE, PhD, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

2501 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | 14440 Civic Dr., Ste. 200, Victorville, CA 92392

e-mail [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) | website [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)

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**Table of Project Information (continued):**

Project Purpose and Description	The Project purpose is to install water quality and erosion control features. Project elements include replacing failing culverts; installing sediment traps, rock bowls, and rock-lined channels, and shallow detention features; and revegetating disturbed areas.									
Project Type	Non-restoration bank stabilization									
Project County	El Dorado									
Project Address or other Locating Information	Community of Meyers in the drainages near Santa Fe Road, Pioneer Trail, San Diego Street, Choctaw Street, and Arapahoe Street.									
Location Latitude/Longitude	Latitude: 38.861353, Longitude: -120.013031									
Hydrologic Unit(s)	Lake Tahoe Hydrologic Unit, 634.00, South Tahoe Hydrologic Area (634.10)									
Overall Project Area	328 acres (subdivision)									
Receiving Water(s) Name	Minor surface waters tributary to the Upper Truckee River									
Water Body Type(s)	Ephemeral drainages									
Designated Beneficial Uses	MUN, AGR, GWR, REC-1, REC-2, COMM, COLD, WILD, SPWN									
Potential Water Quality Impacts	Sediment and other construction materials entering waters									
Area of Water(s) Within the Overall Project Area	0.54 acres									
Impacts of Fill and Excavation to Waters of the State, including Waters of the U.S. (WOUS)	Water-body Type	Temporary			Permanent					
					Physical Loss of Area			Degradation of Ecological Condition		
		Acres	Linear Feet	Cubic Yards	Acres	Linear Feet	Cubic Yards	Acres	Linear Feet	Cubic Yards
	Lake									
	Riparian Zone									
	Stream Channel	0.159	482					0.085	570	234.5
	Wetland									
Federal Permit(s)	The Applicant has applied for U.S. Army Corps of Engineers (USACE) authorization to proceed under a Nationwide Permit 3, pursuant to CWA section 404.									
Non-Compensatory Mitigation	Work will be conducted in fall when conditions are expected to be relatively dry. Standard construction BMPs (temporary sediment and erosion controls, good housekeeping, etc.) will be used during construction. The Project involves installing permanent BMPs to improve water quality as part of the Lake Tahoe Environmental Improvement Program.									

**Table of Project Information (continued):**

Compensatory Mitigation	The Project's purpose is to improve storm water quality runoff by rehabilitating and enhancing failing drainage facilities. Permanent impacts will be mitigated onsite by restoring the capacity and function of ephemeral drainages and reducing further erosion. Temporary impacts will be mitigated by regrading and revegetating disturbed areas.						
	<b>Mitigation for Temporary Impacts (CIWQS mitigation/restoration table side B)</b>						
	Aquatic Resource Type	Unit	Establishment	Re-establishment	Rehabilitation	Enhancement	Preservation
	Wetland	Acres					
	Lake	Acres					
	Riparian Zone	Acres					
		Linear Feet					
	Stream Channel	Acres		0.159			
		Linear Feet		482			
	<b>Mitigation for Permanent Degradation of Ecological Condition (CIWQS mitigation/restoration table side B)</b>						
	Aquatic Resource Type	Unit	Establishment	Re-establishment	Rehabilitation	Enhancement	Preservation
	Wetland	Acres					
	Lake	Acres					
	Riparian Zone	Acres					
		Linear Feet					
	Stream Channel	Acres	0.033				0.052
		Linear Feet	207				363

Application Fee

\$200

Fees Received

\$200

Estimated Annual Active Discharge Fee<sup>1</sup>

\$0 (Ecological Restoration and Enhancement Project)

Estimated Post-Discharge Monitoring Fee<sup>1</sup>

\$0

<sup>1</sup>The actual Annual Active Discharge Fee will be calculated using the fee schedule in effect at the time the annual fee is assessed per California Code of Regulations, Title 23, section 2200(a)(3).



### **WATER QUALITY CONTROL PLAN WASTE DISCHARGE PROHIBITION**

The Water Board has adopted a *Water Quality Control Plan for the Lahontan Region* (Basin Plan) which, in Chapter 5.2, specifies the following discharge prohibition:

“3. The discharge attributable to human activities of any waste or deleterious material to Stream Environment Zones (SEZs) in the Lake Tahoe HU is prohibited.”

The Project involves the discharge attributable to human activities of waste to surface waters within a SEZ in the Lake Tahoe HU.

### **EXEMPTION CRITERIA AND FINDINGS**

The Water Board may grant exemptions to Prohibition 3, above, under the following circumstances:

For erosion control projects if all of the following findings can be made:

- (a) There is no reasonable alternative, including relocation, that avoids or reduces the extent of encroachment below the highwater rim of Lake Tahoe, within the 100-year floodplain, or within the SEZ;

*The Project is intended to restore, protect, and enhance the capacity and function of existing SEZs, channels, and water quality treatment features. These features are located within SEZs; therefore, there is no reasonable alternative to avoid encroachment into the SEZs.*

- (b) Impacts are fully mitigated.

*The Project incorporates appropriate temporary and permanent erosion controls that will restore, protect, and enhance the capacity and function of the SEZs. Additionally, approximately 0.01 acre of existing pavement will be re-established as SEZ and approximately 0.28 acres of SEZ will be enhanced by retaining additional runoff within the SEZ. The Project fully mitigates impacts to SEZs.*

### **EXEMPTION GRANTED**

Resolution No. R6T-2015-0038 delegates to the Executive Officer the authority to grant exemptions to Basin Plan waste discharge prohibitions. The Project meets the conditions in the Basin Plan for granting an exemption. A notice of exemption was posted on the Water Board website and distributed through an interested-persons mailing list, allowing at least 10 days for comments to be submitted.

As demonstrated above, the Project meets the conditions and criteria for an exemption to the waste discharge prohibition. The Project is hereby granted an exemption to the above-cited waste discharge prohibition.

## **CEQA COMPLIANCE**

El Dorado County adopted a Mitigated Negative Declaration (State Clearinghouse No. 2016032081) on July 19, 2016, and filed a Notice of Determination on July 19, 2016 for the Project, pursuant to CEQA.

The Water Board, acting as a CEQA Responsible Agency in compliance with CCR, title 14, section 15096, has considered El Dorado County's Mitigated Negative Declaration (MND) for the Project and mitigation measures incorporated into the MND to reduce potentially significant water quality impacts to less than significant with mitigation. As a result of the analysis, the Water Board finds, with the conditions required herein, the mitigation measures in the MND are adequate to reduce potentially significant water quality impacts to less than significant.

## **SECTION 401 WATER QUALITY CERTIFICATION**

### **Authority**

Section 401 of the CWA (33 U.S.C., paragraph 1341) requires that any applicant for a CWA section 404 permit, who plans to conduct any activity that may result in discharge of dredged or fill materials to WOUS, must provide to the permitting agency a certification that the discharge will be in compliance with applicable water quality standards of the state in which the discharge will originate. No section 404 permit may be granted (or valid) until such certification is obtained. The Applicant submitted a complete application and the fees required for WQC under section 401 for the Project. The Applicant has applied for USACE authorization to proceed under Nationwide Permit No. 3 pursuant to CWA section 404.

CCR, title 23, section 3831(e) grants the Water Board Executive Officer the authority to grant or deny WQC for projects in accordance with CWA section 401. The Project qualifies for such WQC.

### **Standard Conditions**

Pursuant to CCR, title 23, section 3860, the following standard conditions are requirements of this WQC:

1. This WQC action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330 and CCR, title 23, section 3867.
2. This WQC action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license unless the pertinent WQC application was filed pursuant to CCR title 23, section 3855(b) and the application

specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. The validity of any non-denial WQC action must be conditioned upon total payment of the full fee required under CCR title 23, section 3833, unless otherwise stated in writing by the certifying agency.
4. Neither Project construction activities nor operation of the Project may cause a violation of the *Water Quality Control Plan for the Lahontan Region* (Basin Plan), may cause a condition or threatened condition of pollution or nuisance, or cause any other violation of the Water Code.
5. The Project must be constructed and operated in accordance with the Project described in the WQC application that was submitted to the Water Board. Deviation from the Project description constitutes a violation of the conditions upon which this WQC was granted. Any significant changes to this Project that would have a significant or material effect on the findings, conclusions, or conditions of this WQC, including Project operation, must be submitted to the Executive Officer for prior review and written approval.
6. This WQC is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any conditions contained in any other permit or approval issued by the state of California or any subdivision thereof may result in the revocation of this WQC and civil or criminal liability.
7. The Water Board may add to or modify the conditions of this WQC as appropriate to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the CWA, or as appropriate to coordinate the operations of this Project with other projects where coordination of operations is reasonably necessary to achieve water quality standards or protect the beneficial uses of water. Notwithstanding any more specific conditions in this WQC, the Project must be constructed and operated in a manner consistent with all water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the CWA.
8. This WQC does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under the California Endangered Species Act (Fish and Game Code sections 2050, et seq.) or the federal Endangered Species Act (16 U.S.C. sections 1531, et seq.). If a "take" will result from any act authorized under this WQC, the Applicant must obtain authorization for the take prior to construction or operation of the Project. The Applicant is responsible for meeting all applicable requirements of the Endangered Species Act for the Project authorized under this WQC.

### **Additional Conditions**

Pursuant to CCR title 23, section 3859(a), the following additional conditions are requirements of this WQC:

1. Construction equipment must be clean and free from oil, grease, and loose metal material and must be removed from service if necessary to protect water quality.
2. Debris, cement, concrete (or wash water therefrom), oil or other petroleum products must not be allowed to enter into or be placed where they may be washed from the Project site by rainfall or runoff into waters of the state. When operations are completed, any excess material must be removed from the Project work area and any areas adjacent to the work area where such material may be transported into waters of the state.
3. The Applicant must immediately notify Water Board staff by telephone whenever an adverse condition occurs as a result of this discharge. Such a condition includes, but is not limited to, a violation of the conditions of this WQC, a significant spill of petroleum products or toxic chemicals, or damage to control facilities that would cause noncompliance. Pursuant to CWC section 13267(b), a written notification of the adverse condition must be provided to the Water Board within two weeks of occurrence. The written notification must identify the adverse condition, describe the actions necessary to remedy the condition, and specify a timetable, subject to any modifications by Water Board staff, for the remedial actions.
4. An emergency spill kit must be at the project site at all times.
5. The Applicant must permit Water Board staff or its authorized representative upon presentation of credentials:
  - a. Entry onto Project premises, including all areas on which SEZ fill or SEZ mitigation is located or in which records are kept.
  - b. Access to copy any record required to be kept under the terms and conditions of this WQC.
  - c. Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this WQC.
6. The Applicant must ensure that Contractor employs necessary measures to prevent the introduction or spread of noxious/invasive weeds within the Project and staging areas. These measures may include the treatment of onsite infestations, the cleaning of all equipment and gear that has been in an infested site, the use of weed-free erosion control materials (including straw), and the use of weed-free seeds and plant material for revegetation of disturbed areas.

### **Enforcement**

1. In the event of any violation or threatened violation of the conditions of this WQC, the violation or threatened violation must be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of CWA section 401(d), the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this WQC.
2. In response to a suspected violation of any condition of this WQC, the State Water Board or the Water Board may require the holder of any permit or license subject to this WQC to furnish, under penalty of perjury, any technical or monitoring report the State Water Board or Water Board deems appropriate, provided that the burden, including costs, of the reports must be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
3. In response to any violation of the conditions of this WQC, the Water Board may add to or modify the conditions of this WQC as appropriate to ensure compliance.

### **Section 401 Water Quality Certification Requirements Granted**

I hereby issue this WQC certifying that any discharge from the referenced Project will comply with the applicable provisions of CWA sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards), and with other applicable requirements of state law. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this WQC.

Except insofar as may be modified by any preceding conditions, all WQC actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the Applicant's Project description and the terms specified in this WQC, and (b) compliance with all applicable requirements of the Basin Plan.

As a reminder, I would ask that your application be submitted electronically. Please send all correspondence to the Water Board's email address at [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) and include your Facility Name in the Subject Line.

We look forward to working with you in your efforts to protect water quality. Please contact me at (530) 542-5412 ([patty.kouyoumdjian@waterboards.ca.gov](mailto:patty.kouyoumdjian@waterboards.ca.gov)), Bud Amorfini, Engineering Geologist, at (530) 542-5463 ([bud.amorfini@waterboards.ca.gov](mailto:bud.amorfini@waterboards.ca.gov)), or

Alan Miller, Senior Water Resources Control Engineer, at (530) 542-5430  
([alan.miller@waterboards.ca.gov](mailto:alan.miller@waterboards.ca.gov)) if you have any questions or comments regarding this permit.



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

cc: Jason Brush, Wetlands Regulatory Office (WTR-8), US EPA, Region 9  
Bill Orme, State Water Resources Control Board, Division of Water Quality  
Aaron Park, U.S. Army Corps of Engineers, Reno Field  
Patrick Moesenger, California Department of Fish and Wildlife  
Alan Miller, Lahontan Water Board  
Bud Amorfini, Lahontan Water Board

BA/ma/T: R6T-2016-0045\_Meyers SEZ\_401\_6A091606002  
File Under: ECM / WDID 6A091606002

**APPENDIX C6**

**CALIFORNIA TAHOE CONSERVANCY**

**LICENSE AGREEMENT**

**CTC RESOLUTION #16-09-04\_EL DORADO COUNTY**



RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

El Dorado County  
Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667



El Dorado, County Recorder  
William Schultz Co Recorder Office

**DOC- 2017-0002483-00**

Acct 30-EL DORADO CO BOARD OF SUPERVISORS

Wednesday, JAN 18, 2017 14:44:10

Ttl Pd \$0.00 Nbr-0001827878

MMF / C1 / 1-20

Mail Tax Statements to above.  
Exempt from Documentary Transfer Tax  
Per Revenue and Taxation Code 11922

Above Section For Recorder's Use

Project: Meyers Stream Environment Zone and Erosion Control Project (CIP 95179)  
APN's: 033-582-05, 033-601-04, 033-602-03, 033-603-01, 033-603-02, 033-603-03, 033-603-06,  
033-611-01, 034-020-24, 034-215-08, 034-221-14, 034-221-16, 034-270-39, 034-401-03, 034-401-15,  
034-401-22, 034-402-02, 034-791-01 and 034-802-01.

License Agreement Between the California Tahoe Conservancy and the County of El Dorado for the  
Meyers Stream Environment Zone and Erosion Control Project to Access Conservancy-Owned Property



**Meyers Stream Environment Zone and Erosion Control Project**

Long-term License Agreement between the California  
Tahoe Conservancy and the County of El Dorado  
for the Meyers Stream Environment Zone and Erosion Control Project

This Agreement is entered into this 6 day of December 2016, by and between the State of California acting by and through the California Tahoe Conservancy, (hereinafter "the Conservancy") and the County of El Dorado (hereinafter "the County") pertaining to El Dorado County APNs: 033-582-05, 033-601-04, 033-602-03, 033-603-01, 033-603-02, 033-603-03, 033-603-06, 033-611-01, 034-020-24, 034-215-08, 034-221-14, 034-221-16, 034-270-39, 034-401-03, 034-401-15, 034-401-22, 034-402-02, 034-791-01, and 034-802-01.

Recitals

WHEREAS, pursuant to its authority under Government Code section 66906.7, the Conservancy awarded a grant to the County for the planning and design of erosion control facilities;

WHEREAS, pursuant to Government Code section 66907.8 and its duly adopted resolution of June 19, 1987, the Conservancy may give licenses for erosion control purposes;

WHEREAS, the Conservancy owns or has an interest in certain real property adjoining the County road right-of-way, described in Exhibit A attached hereto and incorporated herein ("the Property"), on which the County desires access for the purposes stated above; and

WHEREAS, most of the erosion control work undertaken by the County will be confined to the existing roadways, embankments, gutters, pathways, and drainage ditches within the right-of-way of roads maintained by the County;

WHEREAS, some of the vegetation, basins, culverts, pathways, and drainage ditches extend beyond the road right-of-way and onto adjoining properties;

WHEREAS, the County desires access to the lands adjoining the road right-of-way in order to construct and maintain storm drain systems, water quality treatment basins, rock dissipaters, sediment traps, slope and channel stabilization, infiltration systems, and revegetation as more particularly described in Exhibits B 1-11 ("the improvements");

NOW THEREFORE, in consideration of the mutual covenants, terms, restrictions, and conditions hereafter set forth, the Conservancy and the County hereby agree as follows:

#### Term of Agreement

The term of this Agreement shall be three (3) years, commencing on the date of execution of this Agreement, unless terminated earlier by mutual agreement in writing by all parties to this Agreement. Provided, however, that if erosion control project improvements are constructed on the Property within said period, the County shall have the right to enter on the Property for up to twenty (20) years from the date of completion of said improvements, for maintenance purposes, as set forth herein.

#### Access

The Conservancy agrees that for the duration of this Agreement, subject to all of the conditions and terms hereof, any employee or agent of the County or duly authorized contractor performing construction pursuant to a Conservancy or County project may enter upon and use the Property for the purposes set forth herein.

#### Purpose

The Property may be entered upon and used by the County solely for the purpose of conducting surveys, constructing and maintaining water quality treatment devices, flared end sections, bio-spreaders, rock dissipaters, sediment traps, infiltration systems, conveyance channels, revegetation, staging and storing equipment and materials, and incidental purposes related thereto.

#### Condition Precedent to Construction

In addition to any other conditions contained herein, improvements for the Meyers Stream Environment Zone and Erosion Control Project shall not be constructed on the Property until the Executive Director of the Conservancy or his designee has approved the construction plans.

#### Maintenance

The County shall be obligated to operate and maintain any improvements it constructs on the Property for purposes of soil erosion and drainage control. Where the improvements are being constructed pursuant to a soil erosion control project funded in whole or in part by the Conservancy under a Conservancy grant agreement, the improvements shall be operated and maintained in a manner consistent with the terms and provisions of the grant agreement. Parcels utilized for staging shall be fully restored to natural conditions immediately following construction of the project. The County may be excused from its maintenance only upon the written approval of the Executive Director of the Conservancy for good cause shown. "Good cause" includes, but is not limited to, natural disasters which destroy the improvements and render the soil erosion control project obsolete or impracticable to rebuild.

### Standards of Workmanship

All work undertaken by the County under this Agreement shall comply with and conform to all applicable building, fire, and sanitary laws, ordinances, and regulations of any governmental agency having jurisdiction over the Property. The County shall seek all permits, licenses, and/or approvals applicable to the repair and operation of the facility as contemplated by this Agreement including, but not limited to, building and/or use permits required by any public body having jurisdiction over the Property.

### Liability and Indemnification

The County waives all right to recourse against the Conservancy, including the right to contribution or indemnification for any and all claims, demands, costs, expenses, liabilities, and losses arising out of any damage or injury to any person or persons, including the Conservancy, or property of any kind whatsoever and to whomsoever belonging, including the Conservancy, from any cause or causes reasonably related to the County's presence or activities on the Property, except for matters arising out of the sole and active negligence of the Conservancy.

The County agrees to indemnify, protect, defend, and hold harmless the Conservancy, its successors, and assigns from any and all claims, demands, costs, expenses, liabilities, and losses arising out of any damage or injury to any person or persons, including the Conservancy, or property of any kind whatsoever and to whomsoever belonging, including the Conservancy, from any cause or causes reasonably related to the County's presence or activities on the Property, except for matters arising out of the sole and active negligence of the Conservancy.

### Fees and Assessments

The County shall pay, before they become delinquent, all charges, fees, taxes, and assessments imposed on the Property by reason of this Agreement. The Conservancy may pay such charges, fees, taxes, or assessments, and such payment will be repaid by the County on demand.

The County covenants and agrees to keep the Property free from any mechanic's or materialmen's liens claimed by any person, firm, or corporation employed by or on behalf of the County for any work or services performed under this Agreement. In the event of the filing of any such liens, the County shall cause such lien to be released within five (5) days after the Conservancy's written notice to do so. The County shall indemnify and defend the Conservancy and the State of California against any and all liability, cost, and expense including attorney's fees incurred by the Conservancy or the State of California as a result of any such lien.

### Insurance

In the event that Licensee enters into an agreement or agreements with independent contractors or other third parties other than agencies of the State of California authorizing such parties to enter onto the Premises, such agreement(s) shall require that Licensee's contractor(s) maintain general liability insurance in an amount of one million dollars (\$1,000,000) or such other lesser amount as shall be reasonably approved by Licensor. In addition, Licensee shall make reasonable efforts to ensure that the Conservancy, and its officers, officials, employees, and volunteers, are included as additional insureds under the insurance required above and that a copy of the endorsements or certificate naming them as additional insureds is furnished to the Conservancy as soon as is practicable. In the event the contractor or third party is unable to name the Conservancy as an additional named insured, the Licensee shall so notify the Conservancy. Within five (5) working days thereafter the Conservancy should notify the Licensee whether the Licensee shall proceed with the facility or portion thereof absent such provision in the insurance.

The company or companies providing such insurance shall have no recourse against the Conservancy and the State of California, and their members, officers and employees, or any of them, for payment of any premiums or assessments under such insurance. The Conservancy shall also be provided with notice of any proposed cancellation of insurance.

### Prior Encumbrances

This Agreement is subject to all easements, leases, liens, conditions, restrictions, encumbrances, and claims of title which may affect the Property. The County accepts the Property (including, without limitation, Conservancy-owned improvements, if any) in their present condition and without any representation or warranty by the Conservancy as to the condition of such Property or improvements, and the Conservancy shall not be responsible for any defect or change of conditions in the Property or such improvements, any damage occurring thereto, or for the existence of any violation of any municipal, County, State, or Federal law, order, rule, regulation, or ordinance.

### Assignment

Without the written consent of the Conservancy or its successors or assigns, the County's rights and responsibilities under this Agreement may not be assigned. In the event the Conservancy consents to an assignment, the terms of this Agreement shall be binding on the County's assignee.

### Forbearance Not a Waiver

Any forbearance on the part of either party to this Agreement or their successors in interest and assigns, to enforce the terms and provisions of this Agreement in the event of any violation or breach shall not be deemed a waiver of either party's legal rights regarding any subsequent violation or breach.

#### Severability

The provisions of this Agreement are intended to be severable, separate, and distinct from each other. If any provision hereof is determined to be invalid or for any reason becomes unenforceable, no other provisions shall be thereby affected or impaired.

#### Captions

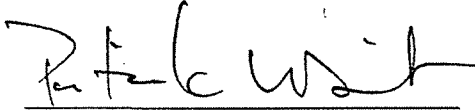
The captions on the paragraphs of this Agreement are for convenience only and shall be of no force and effect whatsoever in interpreting the obligations or rights of the parties hereunder.

#### Entire Agreement

This Agreement contains the entire Agreement between the Conservancy and the County, relating to the rights granted and the obligations assumed herein. Any oral representations or modifications of this Agreement shall be of no force and effect unless embodied in a subsequent modification in writing signed by the party to be charged.


IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CALIFORNIA TAHOE CONSERVANCY

  
Patrick Wright, Executive Director

Date: 11.17

COUNTY OF EL DORADO

  
Ron Mikulaco, Chair of the Board of Supervisors

Date: 12/6/16

Attest:  
James S. Mitrisin, Clerk of the Board of Supervisors

  
Deputy Clerk

Date: 12/6/16

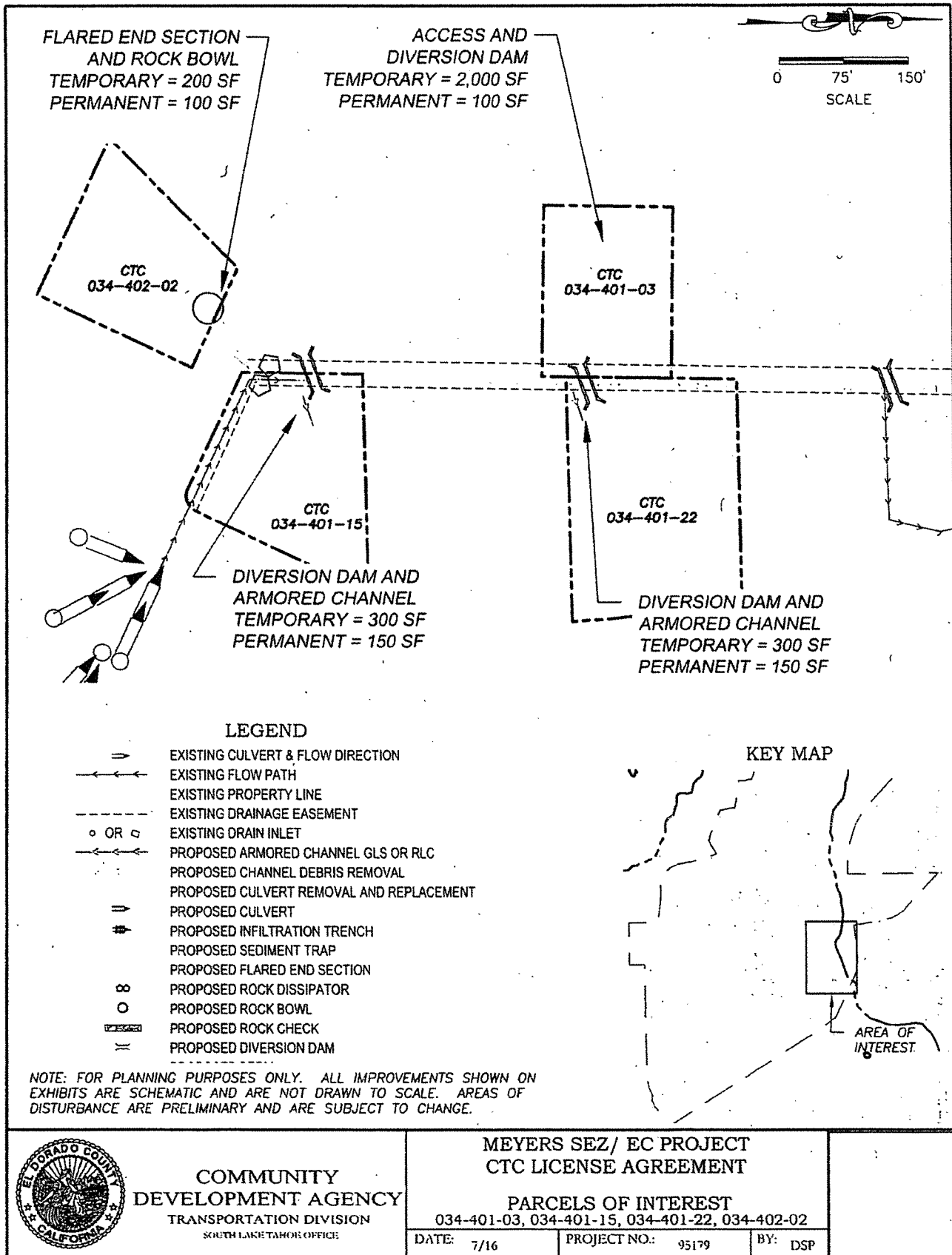
## EXHIBIT A

The land herein referred to is described as follows:

All that certain real property lying in the incorporated area, State of California, County of El Dorado, described as follows:

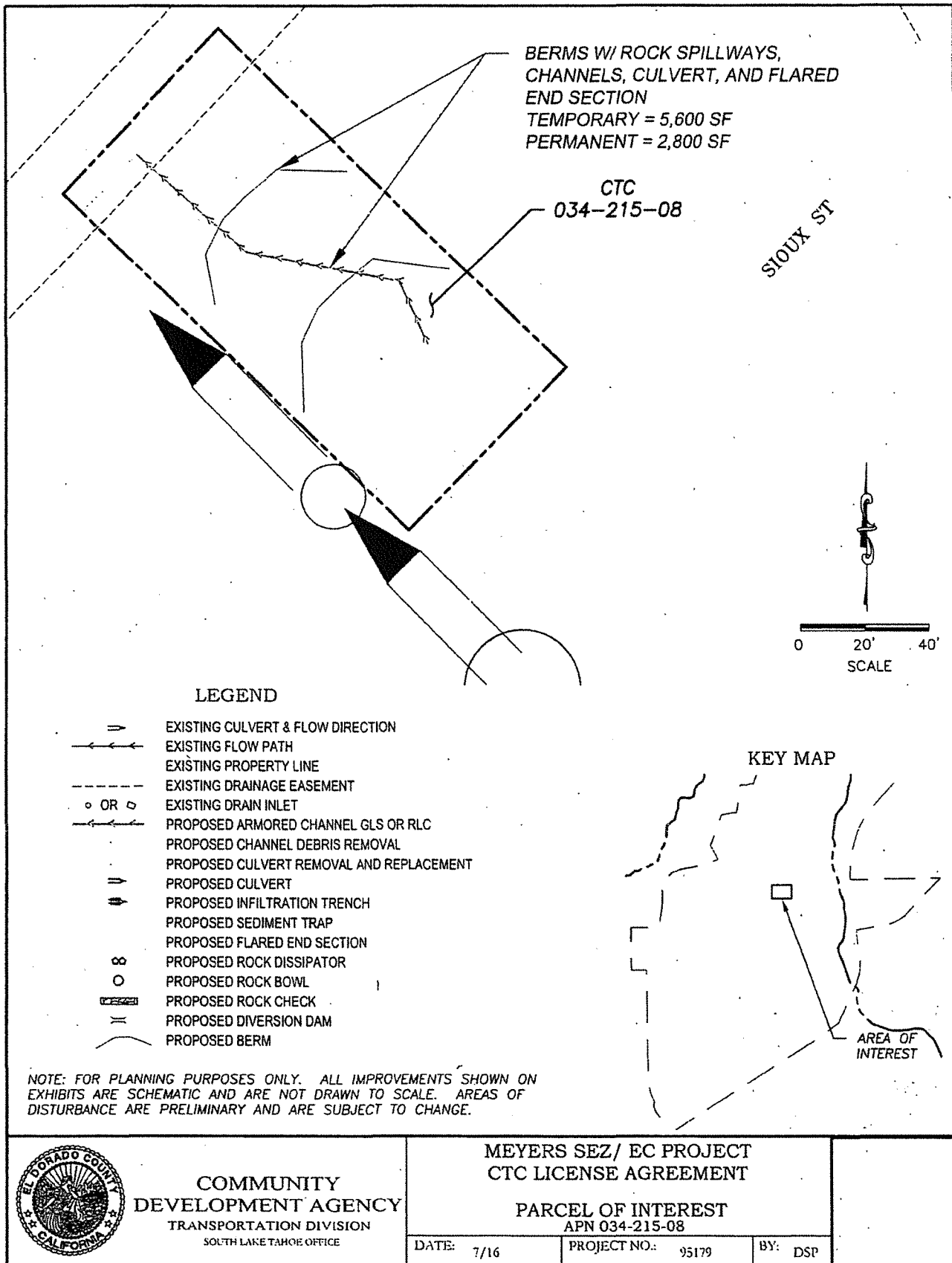
Count	Assessor's Parcel Numbers	Exhibit	Address	Improvements
1	034-402-02	B-1	1856 Santa Fe Rd.	Rock bowl and flared end section.
2	034-401-15		-	Diversion dam and armored outlet.
3	034-401-03		-	Construction access for diversion dam.
4	034-401-22		-	Diversion dam and armored outlet.
5	034-215-08	B-2	1201 Sioux St.	Berms with rock spillways, channels, and culvert.
6	034-020-24	B-3	-	Culverts, flared end sections, and grader turn-arounds.
7	034-270-39	B-4	-	Berm with rock spillway.
8	033-602-03	B-5	1590 Arapahoe St.	Berms, swales, sediment basin with rock spillways, and culvert.
9	033-601-04		1581 Arapahoe St.	
10	033-603-06	B-6	1290 Country Club Dr.	Swales and sediment basin with rock spillways.
11	033-603-03		1603 Arapahoe St.	
12	033-603-02		1609 Arapahoe St.	
13	033-603-01	B-7	1615 Arapahoe St.	Sediment basin with rock spillway and armored channels.
14	033-611-01		1625 Arapahoe St.	
15	034-791-01	B-8	-	Sediment basin, culvert, and armored channels.
16	033-582-05	B-9	1228 Country Club Dr.	Sediment basin and armored channel.
17	034-221-16	B-10	-	Rock check, CSP inlet, culvert, infiltration trench, and channel revetment.
18	034-221-14		-	
19	034-802-01	B-11	-	CSP inlet, culvert removal and replacement, and armored channel.

# Exhibit B-1

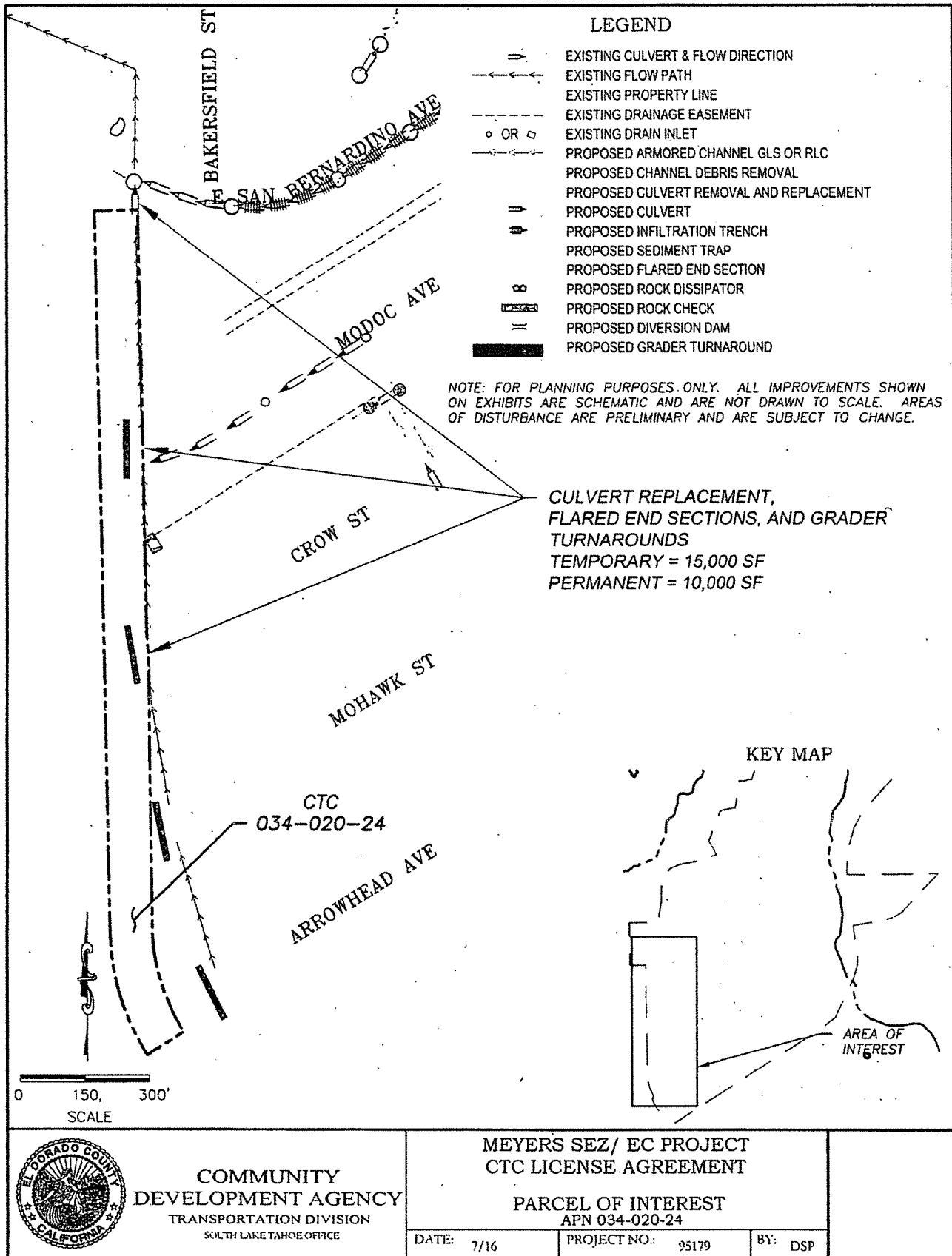




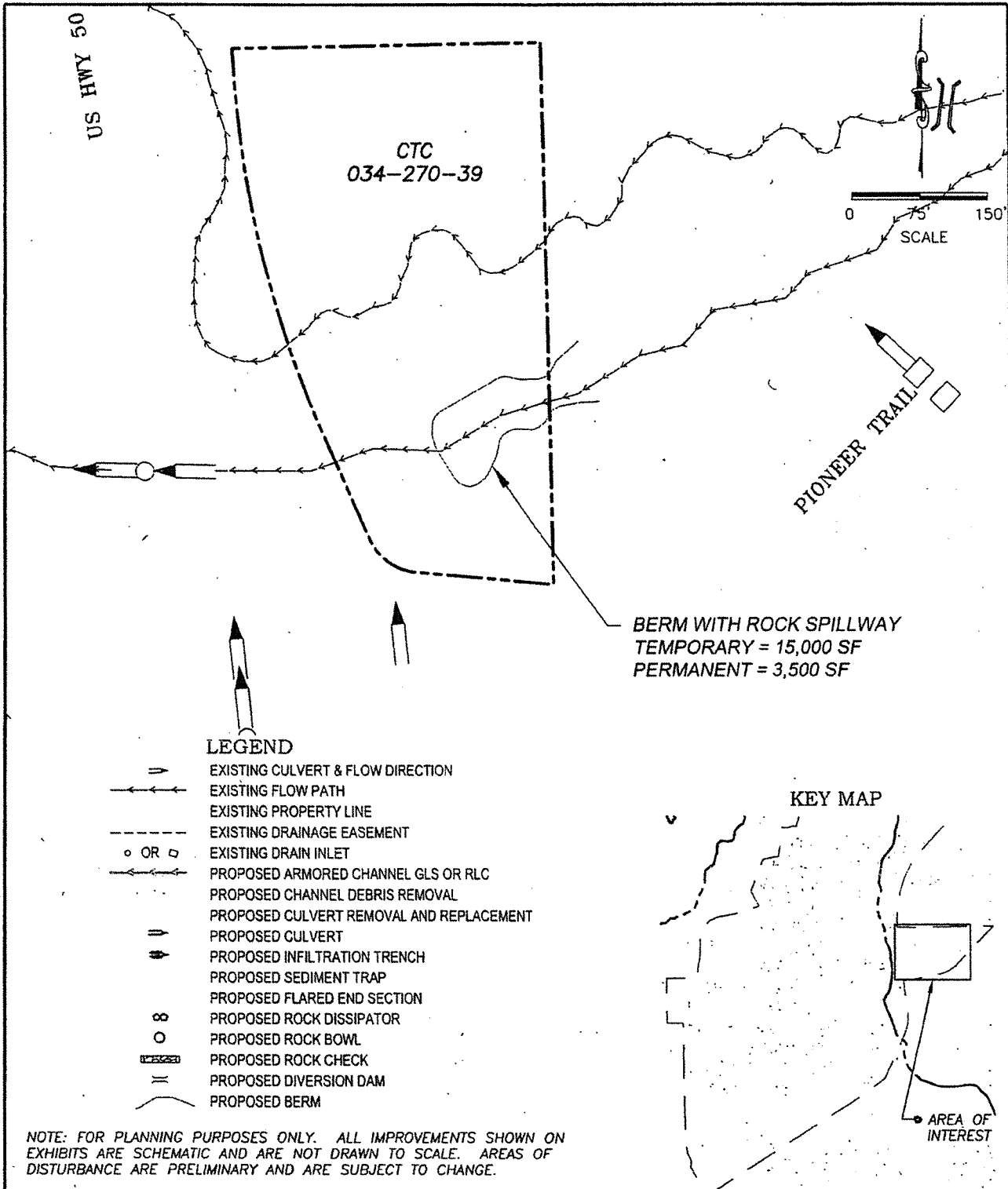
## Exhibit B-2



# Exhibit B-3



# Exhibit B-4



**COMMUNITY  
DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT  
CTC LICENSE AGREEMENT**

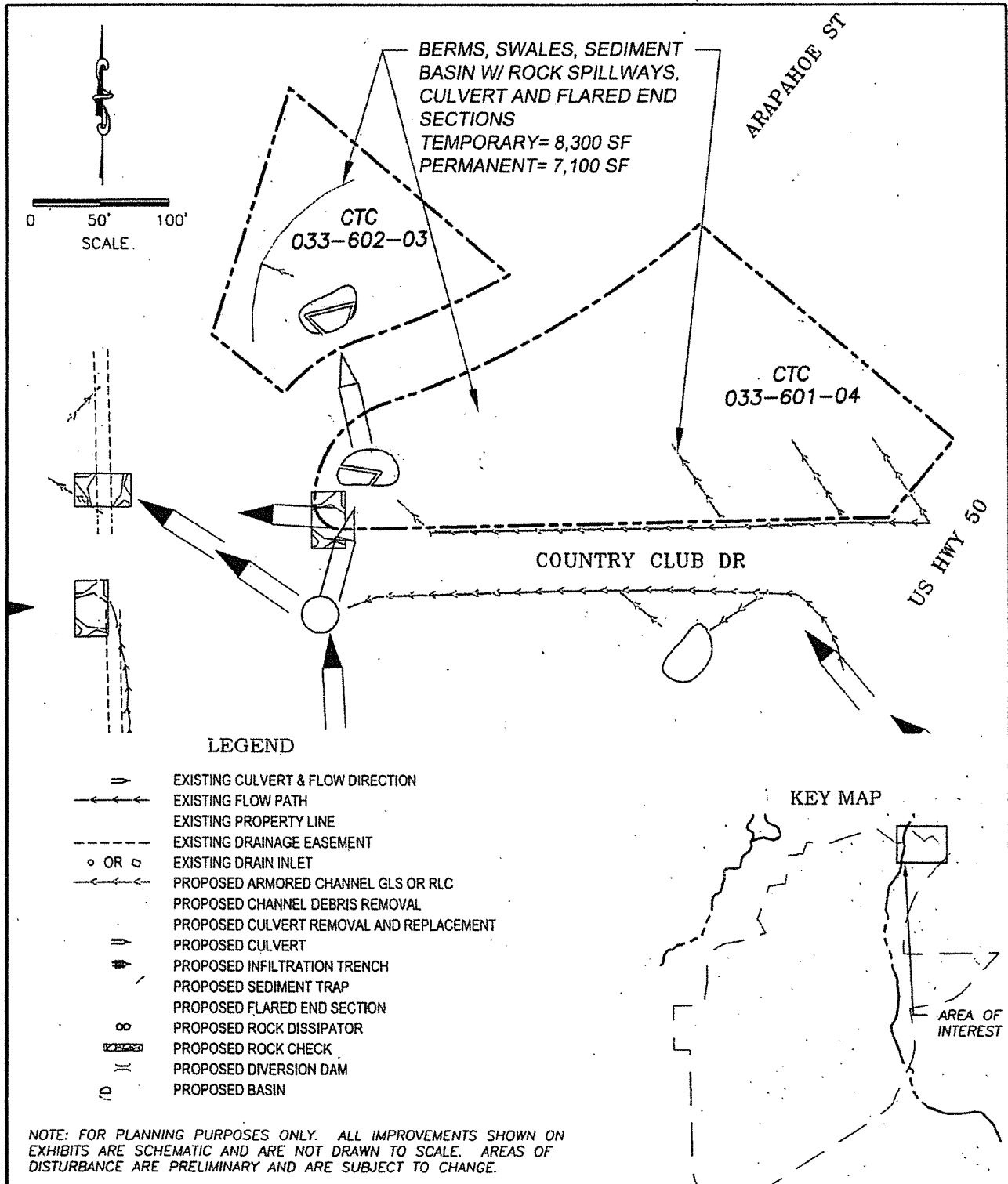
**PARCEL OF INTEREST  
APN 033-270-39**

DATE: 7/16

PROJECT NO.: 95179

BY: DSP

# Exhibit B-5



**COMMUNITY DEVELOPMENT AGENCY**  
 TRANSPORTATION DIVISION  
 SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT**  
**CTC LICENSE AGREEMENT**

**PARCELS OF INTEREST**  
 APN 033-602-03 AND 033-601-04

DATE: 7/16

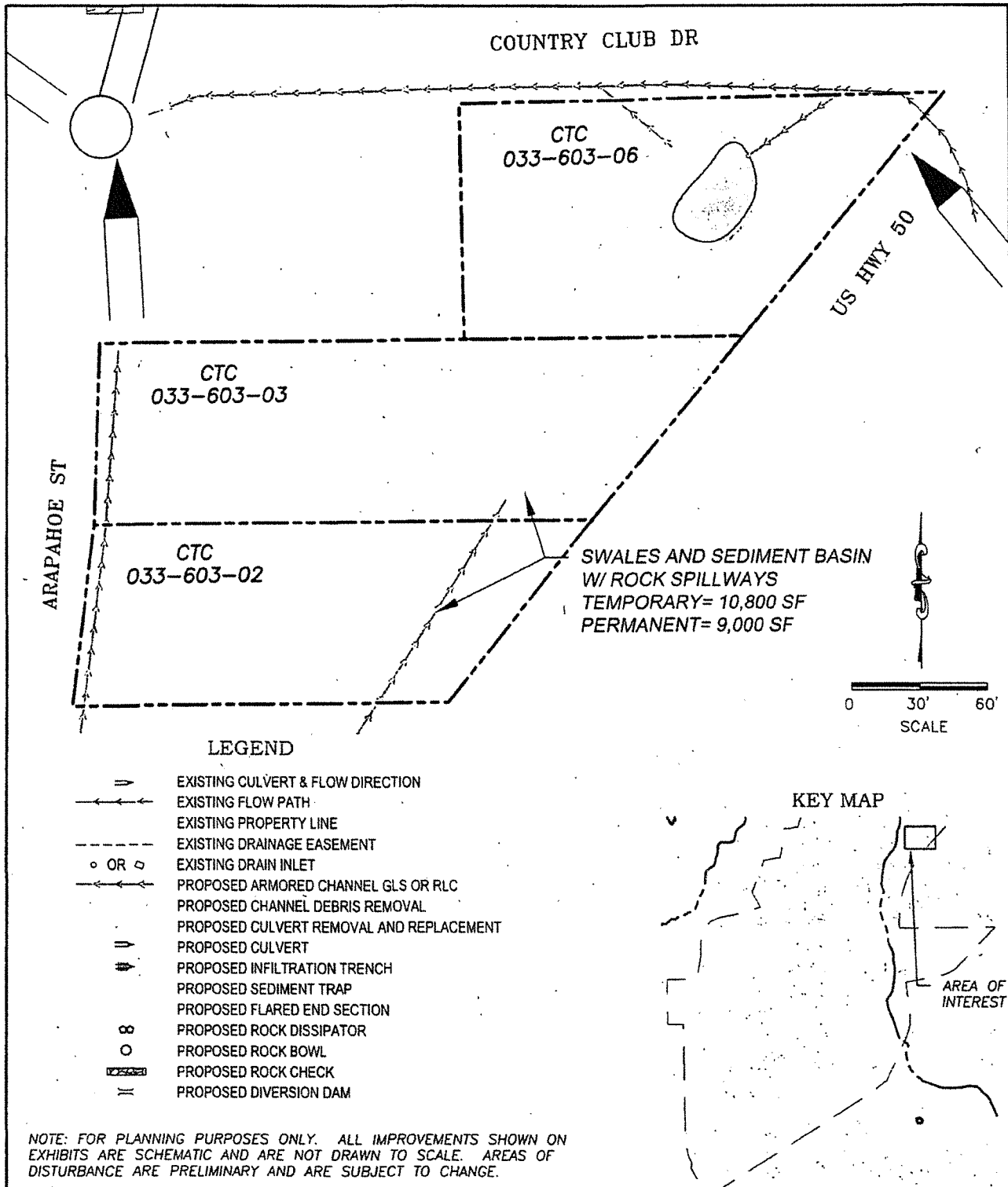
PROJECT NO.: 95179

BY: DSP

EXHIBIT

**CTC-6**

# Exhibit B-6



**COMMUNITY  
DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT  
CTC LICENSE AGREEMENT**

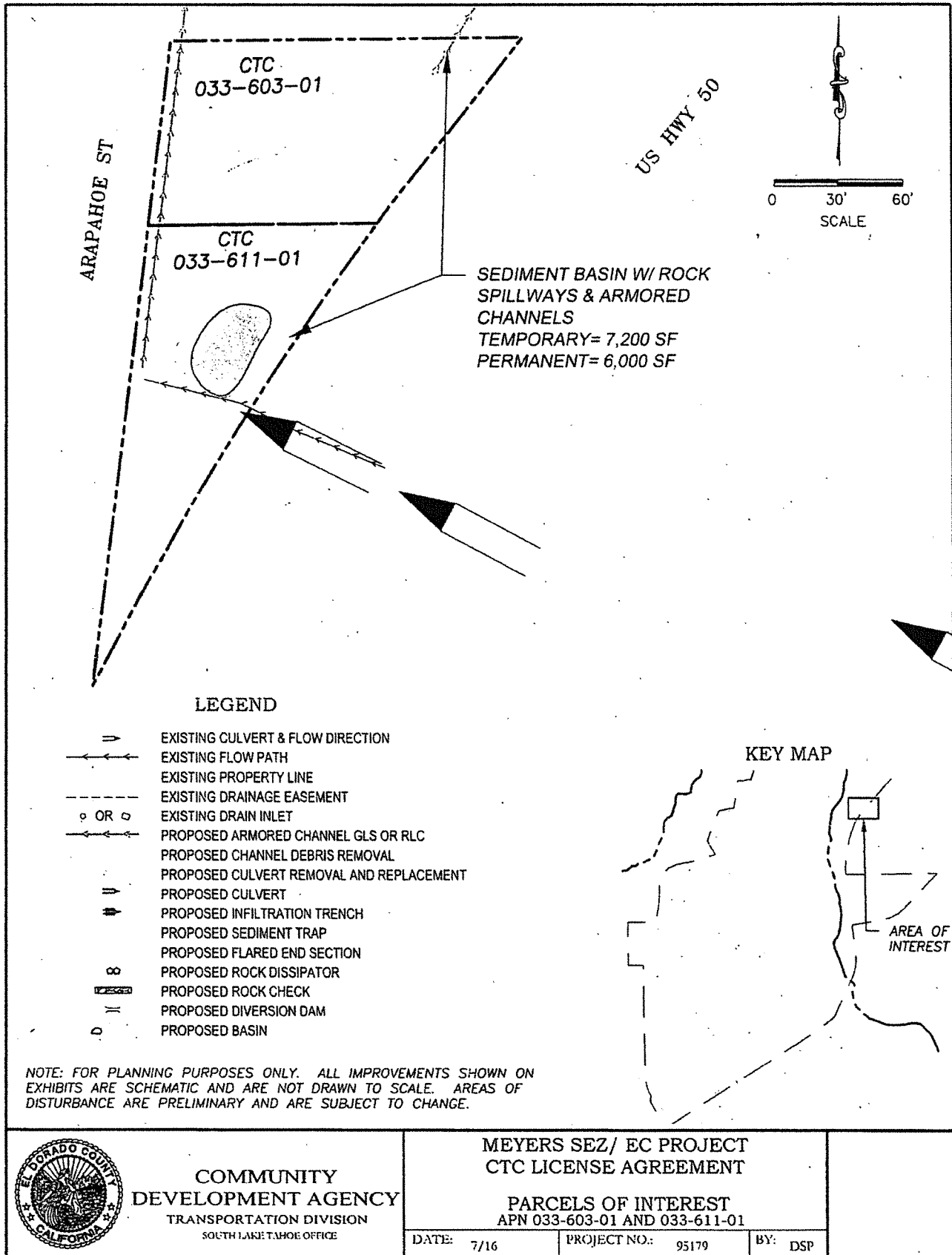
**PARCELS OF INTEREST**  
APN 033-603-06, 033-603-03, 033-603-02

DATE: 7/16

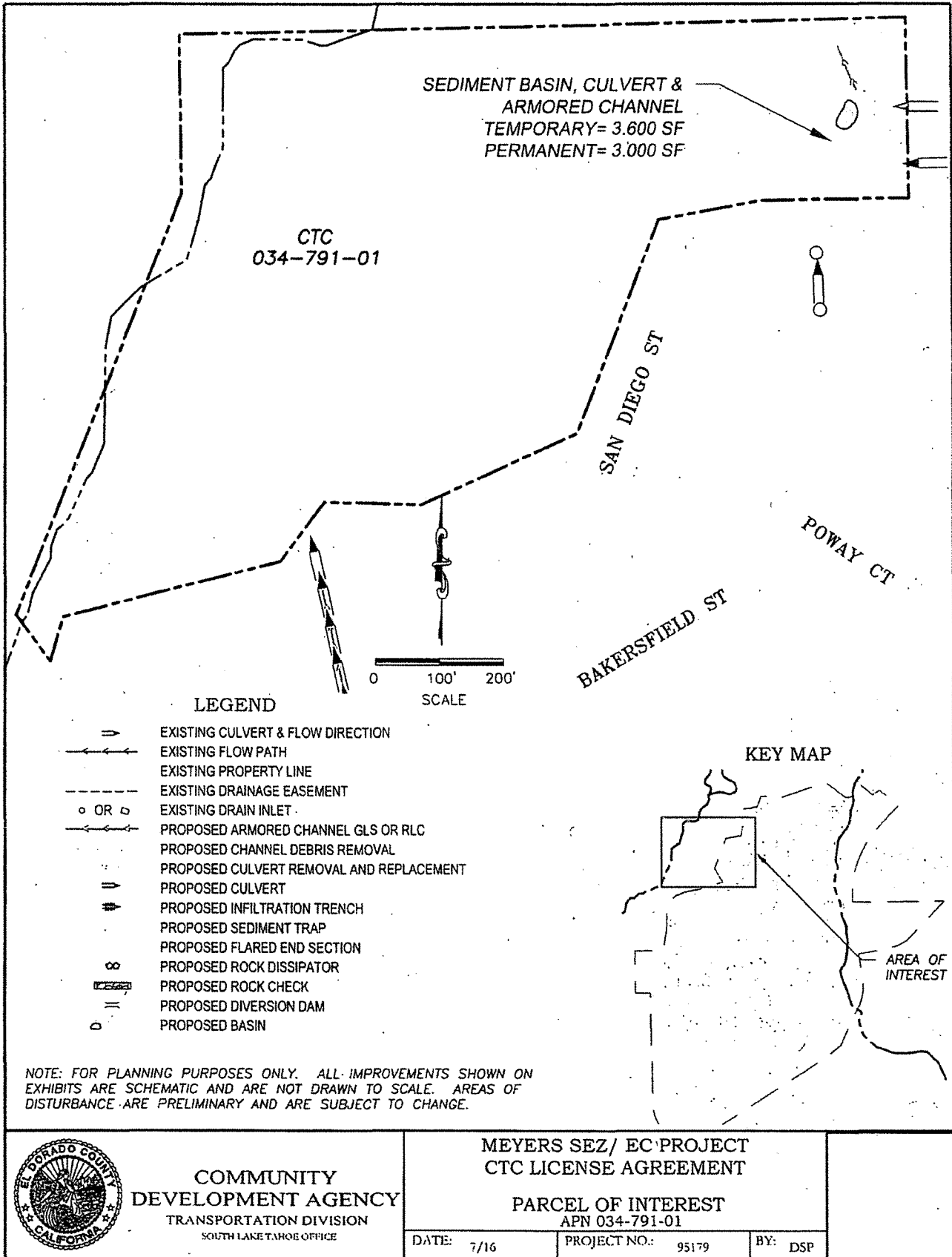
PROJECT NO.: 95179

BY: DSP

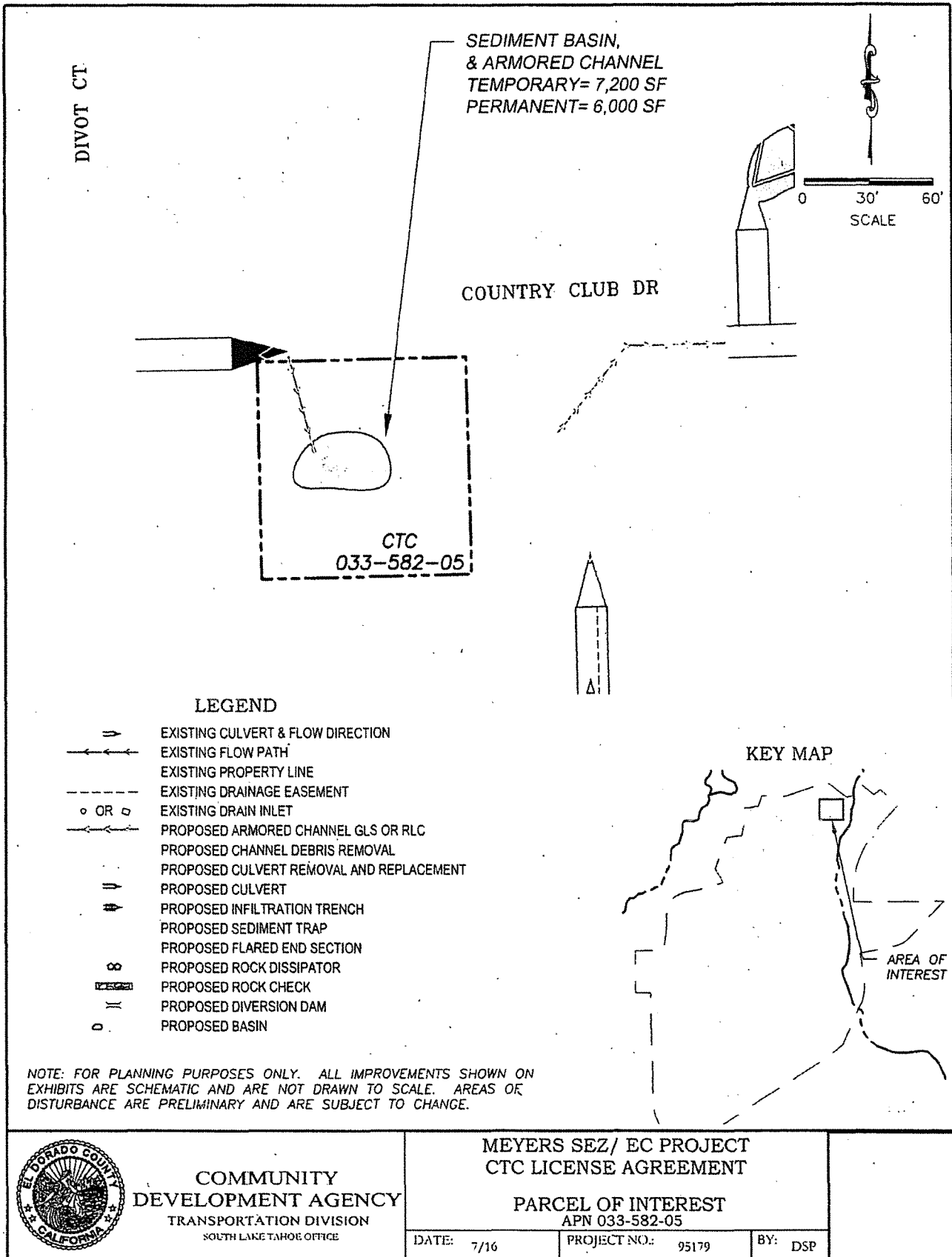
# Exhibit B-7



# Exhibit B-8

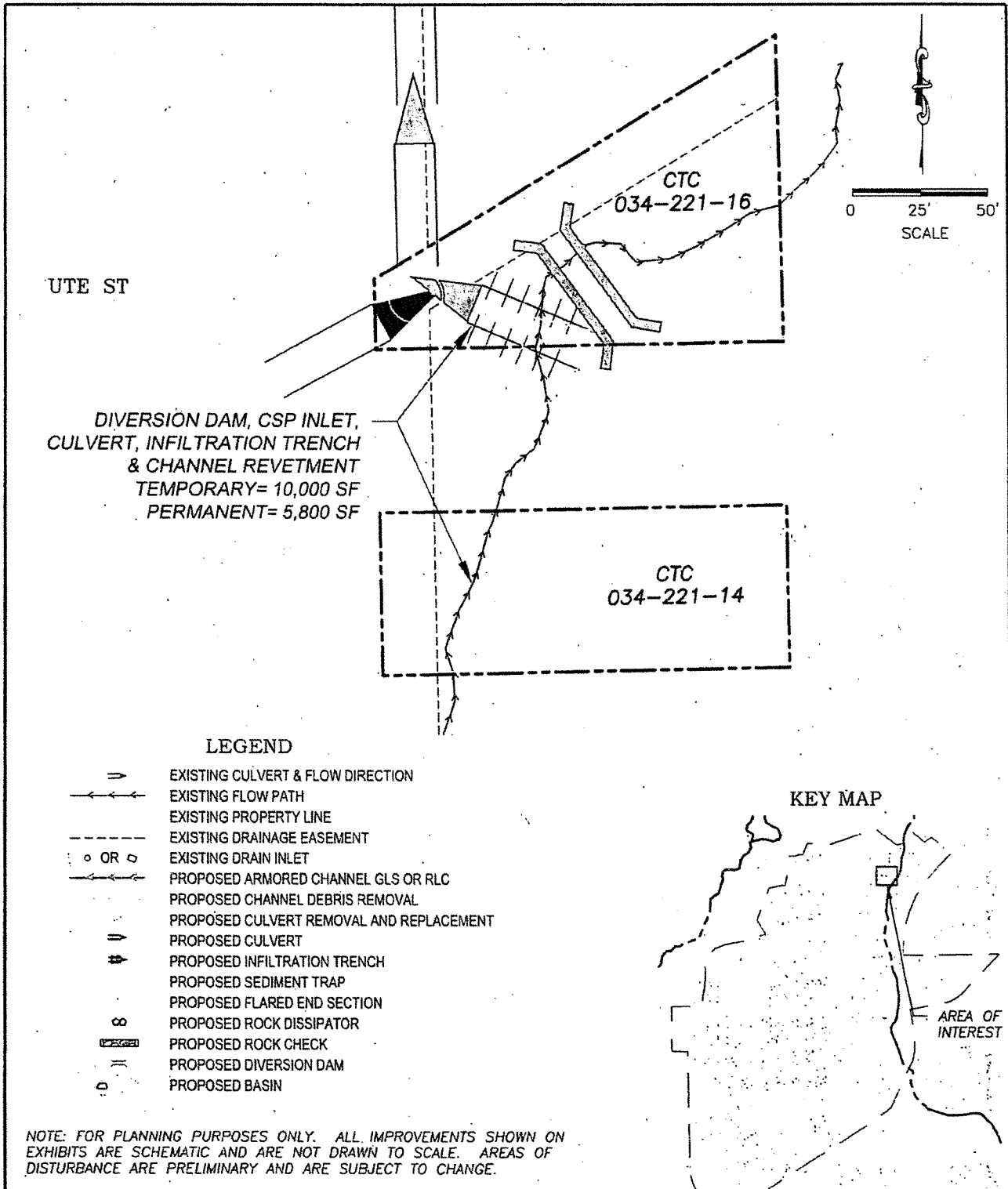


# Exhibit B-9





# Exhibit B-10



**COMMUNITY DEVELOPMENT AGENCY**  
 TRANSPORTATION DIVISION  
 SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT**  
**CTC LICENSE AGREEMENT**

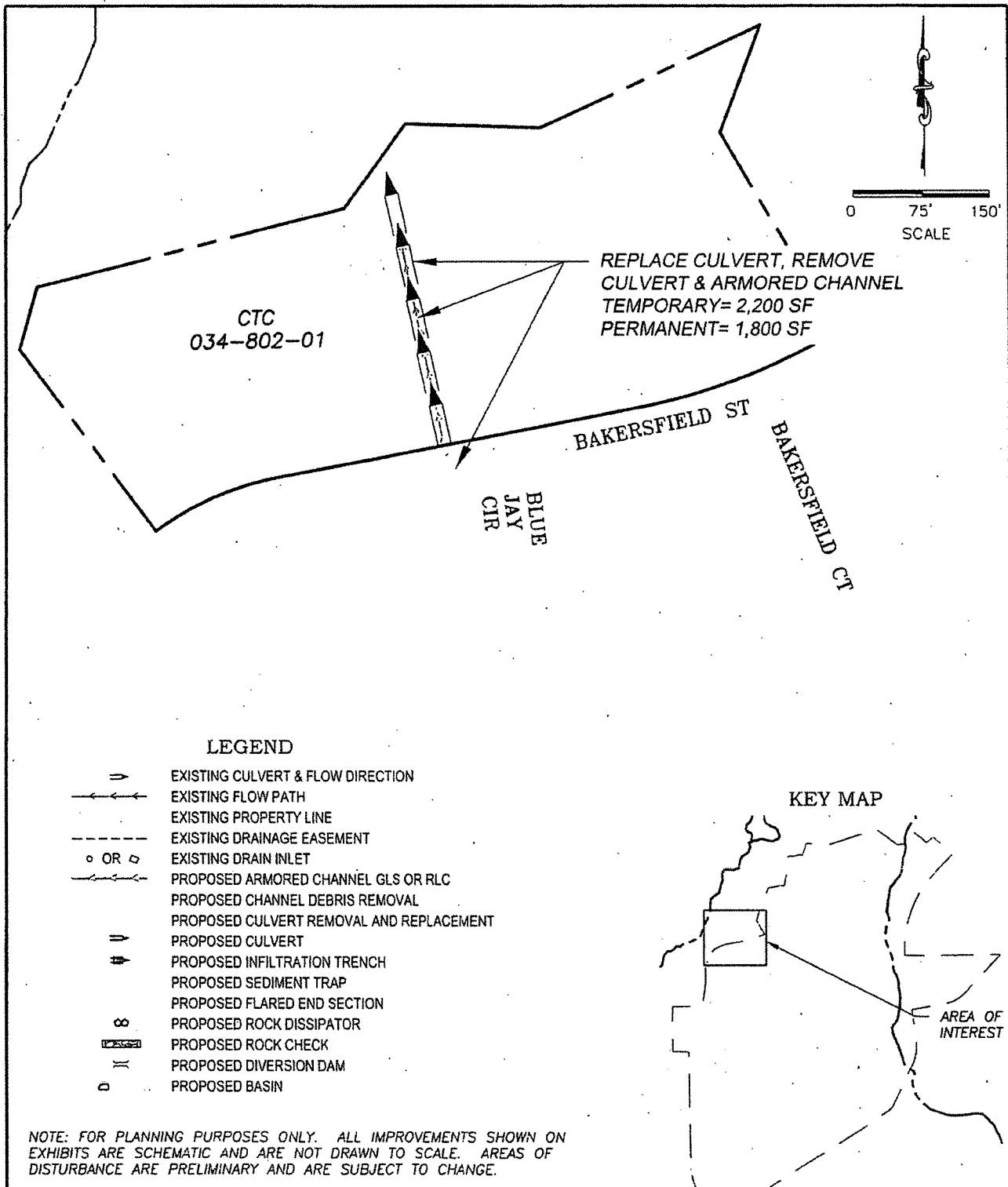
**PARCELS OF INTEREST**  
 APN 033-221-16 AND 033-221-14

DATE: 7/16

PROJECT NO.: 95179

BY: DSP

# Exhibit B-11



**COMMUNITY  
DEVELOPMENT AGENCY**  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

**MEYERS SEZ/ EC PROJECT  
CTC LICENSE AGREEMENT**

**PARCEL OF INTEREST  
APN 034-802-01**

DATE: 02/16

PROJECT NO.: 95179

BY: DSP

# All Purpose Notary

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

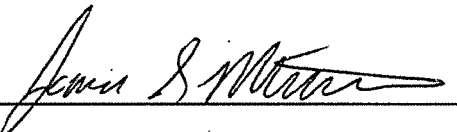
State of California  
County of EL DORADO

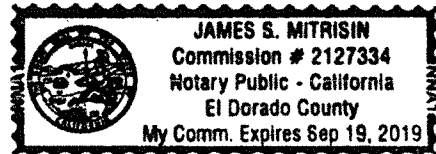
On DECEMBER 7, 2016 before me, JAMES S. MITRISIN, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared RON MIKULACO  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



01/18/2017, 20170002483

16-0336 B 663 of 710

## **APPENDIX D**

### **CONSTRUCTION PROJECT FUNDING SIGN**

# Another Lake-Saving Project



## Meyers Stream Environment Zone/ Erosion Control Project

### Funding and Project Partners



Available project for inspection: California's  
water quality, supply, and infrastructure.

Funded by Proposition 1  
The Water Bond Act of 2006

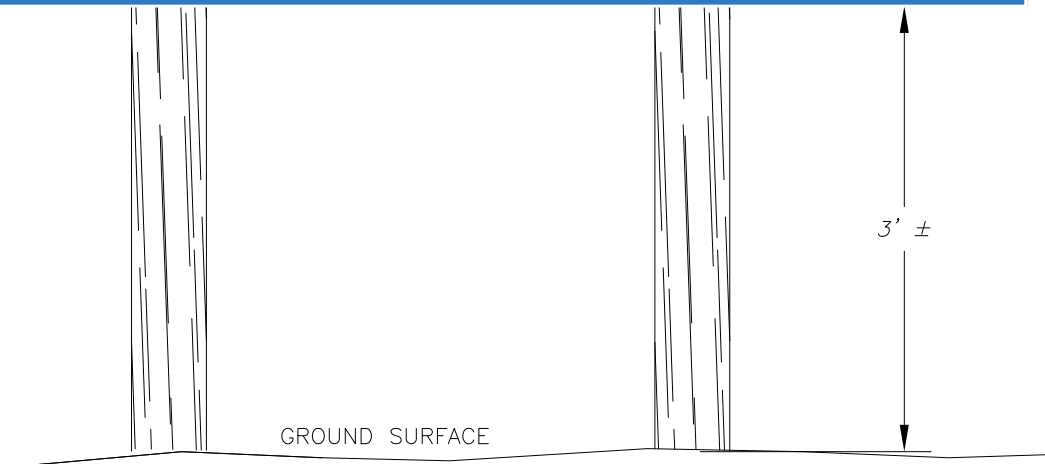
Administered, Secretary for Natural Resources Agency  
Edmund G. Brown, Jr. Governor



### Design

County of El Dorado  
Community Development Agency  
Transportation Division

[conservationcleanly.org](http://conservationcleanly.org)



GROUND SURFACE

NOT TO SCALE

### NOTES:

1. THE 4'X8' SIGN PANEL TO BE FURNISHED BY THE COUNTY.
2. SEE SPECIAL PROVISIONS SECTION 12-2.
3. SIGN PANEL TO BE BOLTED TO POST USING CARRIAGE BOLT, WASHER, AND NUT.
4. POSTS (2 TOTAL) TO BE 4" X 6" X 11' PRESSURE TREATED FIR EMBEDDED 4'. THE POST BACKFILL SHALL BE NEAR THE OPTIMUM MOISTURE FOR COMPACTION AND THOROUGHLY COMPACTED.



COMMUNITY  
DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION  
SOUTH LAKE TAHOE OFFICE

MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT

Construction Project Funding Sign

DATE: 02/17

PROJECT NO.: 95179

BY: DSP

APPENDIX

D

**County of El Dorado, State of California  
Community Development Agency  
Transportation Division**

**P&C No. 087-C1799, CIP No. 95179, PW 16-31121**

**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT**

**THIS AGREEMENT** ("Agreement") approved by the Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, in the year of 20\_\_, made and concluded, in duplicate, between the COUNTY OF EL DORADO, a political subdivision of the State of California, by the Community Development Agency, Transportation Division, thereof, the party of the first part hereinafter called "County," and [CONTRACTOR], the party of the second part hereinafter called "Contractor."

**RECITALS:**

**WHEREAS**, County has caused the above-captioned project to be let to formal bidding process, and

**WHEREAS**, Contractor has duly submitted a bid response for the captioned project upon which County has awarded this contract;

**NOW, THEREFORE**, the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree, each with the other, as follows:

**Article 1. THE WORK**

The improvement contemplated in the performance of this Contract is an improvement over which the County shall exercise general supervision. The County, therefore, shall have the right to assume full and direct control over this Contract whenever the County, at its sole discretion, shall determine that its responsibility is so required.

Contractor shall complete the Work as specified or indicated under the Bid Schedule(s) of County's Contract Documents entitled:

**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT**

The project is located in the community of Meyers in South Lake Tahoe. The Project is bordered by the Upper Truckee River on the west and Lake Tahoe Golf Course on the northwest, US Highway 50/ State Route 89 on the south, and by Pioneer Trail on a small portion to the east, in eastern El Dorado County, in the Tahoe Basin. The Work to be done is shown on the Plans, described in the Special Provisions and generally consists of, but is not limited to:

Construction of erosion control improvements including tree removal, culverts, rock slope protection, blanket lined channels and pavement removal. Other items or details not mentioned above, that are required by the plans, Standard Plans, Standard Specifications, or these Special Provisions must be performed, constructed or installed.

**Article 2. CONTRACT DOCUMENTS**

The Contract Documents consist of: the Notice to Bidders; the bid forms which include the accepted Proposal, Bid Price Schedule and Total Bid, Subcontractor List, Equal Employment Opportunity Certification, Section 10285.1 Statement, Section 10162 Questionnaire, Section 10232 Statement, Noncollusion Affidavit, Iran Contracting Act Certification, Debarment, Suspension, Ineligibility, and Voluntary Exclusion Certification, Non-lobbying Certification for Federal-Aid Contracts, Disclosure of Lobbying Activities (Standard Form LLL); the Contract which includes this Agreement with all Exhibits thereto, including the Fair

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C 087-C1799**  
April 2017

County of El Dorado  
**Agreement**  
Page C-1

Employment Practices Addendum and the Nondiscrimination Assurances, the Performance Bond, and Payment Bond; the drawings listed and identified as the Project Plans; the Special Provisions which incorporate by reference the State of California Department of Transportation (Caltrans) Standard Plans 2010, and Standard Specifications 2010, Revised Standard Specifications, and standard drawings from the Design and Improvement Standards Manual of the County of El Dorado, revised March 8, 1994 including Resolution 199-91 and Resolution 58-94 to adopt changes to the Design and Improvement Standards Manual; all Addenda incorporated in those documents before their execution, and all Contract Change Orders issued in accordance with the Contract Documents which may be delivered or issued after the Effective Date of this Agreement and are not attached hereto; the prevailing Labor Surcharge And Equipment Rental Rates (when required) as determined by Caltrans to be in effect on the date the Work is accomplished; all the obligations of County and of Contractor which are fully set forth and described therein; and all Contract Documents which are hereby specifically referred to and by such reference made a part hereof. All Contract Documents are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all Contract Documents. Contractor agrees to perform all of its promises, covenants, and conditions set forth in the Contract Documents, and to abide by and perform all terms and conditions set forth therein. In case of conflict between this Agreement and any other contract document, this Agreement shall take precedence.

### **Article 3. COVENANTS AND CONTRACT PRICE**

County hereby promises and agrees with said Contractor to employ, and does hereby employ, said Contractor to provide the material and to do the Work according to the terms and conditions of the Contract Documents herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained. County shall pay Contractor for the completion of the Work in accordance with the Contract Documents in current funds the Contract Prices named in Contractor's Bid and Bid Price Schedule, a copy of which is attached hereto as Exhibit A.

### **Article 4. COMMENCEMENT AND COMPLETION**

The Work to be performed under this Contract shall commence on the date specified in the Notice to Proceed issued by County, and the Work shall be fully completed within the time specified in the Notice to Proceed pursuant to Section 8 of the Special Provisions.

County and Contractor recognize that time is of the essence of the Agreement and that County will suffer financial loss if the Work is not completed within the time specified in the Notice to Bidders annexed hereto, plus any extensions thereof allowed in accordance with Section 8 of the Standard Specifications and Special Provisions. They also recognize the delays, expense, and difficulties involved with proving in a legal proceeding the actual loss suffered by County if the Work is not completed on time. Accordingly, instead of requiring any such proof, County and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay County the sum of **\$2,250**, as liquidated damages and not as a penalty, for each and every calendar day's delay in finishing the Work in excess of the contract time prescribed herein.

### **Article 5. INDEMNITY**

To the fullest extent allowed by law, Contractor shall defend, indemnify, and hold County, its (their) officers, directors, and employees, and the State of California (State), its officers, directors, agents (excluding agents who are design professionals), State Contractors doing work within the project limits, any property owners from whom the County obtained easements, and any federal government agencies associated with this Contract harmless against and from any and all claims, suits, losses, damages, and liability for damages, including attorney's fees and other costs of defense brought for or on account of injuries to or death of any person, including but not limited to, workers and the public, or on account of injuries to or death of County, State, any property owners from whom the County obtained easements, or federal government agency employees, or damage to property, or any economic, consequential or special damages which are claimed or which shall in any way arise out of or be connected with Contractor's services, operations or performance hereunder, regardless of the existence or degree of fault or negligence on the part of the County, the State of California, or any federal government agencies, any property owners from whom the County has obtained

easements, the Contractor, subcontractors or employees of any of these, except for the active, or sole negligence of the County, the State of California or any federal government agencies their officers and employees, or any property owners from whom the County has obtained easements, or where expressly prescribed by statute.

The duty to indemnify and hold harmless the County, the State, any property owners from whom the County obtained easements, and any federal government agencies associated with this Contract specifically includes the duties to defend set forth in Section 2778 of the Civil Code. The insurance obligations of Contractor are separate, independent obligations under the Contract Documents, and the provisions of this defense and indemnity are not intended to modify nor should they be construed as modifying or in any way limiting the insurance obligations set forth in the Contract Documents.

This indemnification will remain in effect until terminated or modified in writing by mutual agreement.

#### **Article 6. VENUE**

Any litigation arising out of this Contract shall be brought in El Dorado County and governed by California law.

#### **Article 7. NOTIFICATION OF SURETY COMPANY**

The surety company shall familiarize itself with all of the conditions and provisions of this Contract, and shall waive the right of special notification of any change or modifications of this Contract or extension of time, or of decreased or increased work, or of the cancellation of the Contract, or of any other act or acts by County or its authorized agents, under the terms of this Contract; and failure to so notify the aforesaid surety company of changes shall in no way relieve the surety company of its obligation under this Contract.

#### **Article 8. ASSIGNMENT OF ANTITRUST ACTIONS**

In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor offers and agrees and will require all of its subcontractors and suppliers to agree to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to Contractor, without further acknowledgment by the parties.

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under Government Code Sections 4550-4554, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the bid price, less the expenses incurred in obtaining that portion of the recovery. Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under Government Code Sections 4550-4554 if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action.

#### **Article 9. TERMINATION BY COUNTY FOR CONVENIENCE**

County reserves the right to terminate the Contract at any time upon determination by County's representative that termination of the Contract is in the best interest of County. County shall issue Contractor a written notice specifying that the Contract is to be terminated.

Upon receipt of said written notice, Contractor shall stop all work under the Contract except: (1) work specifically directed to be completed prior to termination, (2) work the Inspector deems necessary to secure the project for termination, (3) removal of equipment and plant from the site of the Work, (4) action that is



necessary to protect materials from damage, (5) disposal of materials not yet used in the Work as directed by County, and (6) cleanup of the site.

If the Contract is terminated for County's convenience as provided herein, all finished or unfinished work and materials previously paid for shall, at the option of County, become its property. Contractor shall be paid an amount which reflects costs incurred for work provided to the date of notification of termination. In addition, Contractor shall be paid the reasonable cost, as solely judged by County, and without profit, for all work performed to secure the project for termination.

#### **Article 10. TERMINATION BY COUNTY FOR CAUSE**

If Contractor is adjudged as bankrupt or insolvent, or makes a general assignment for the benefit of its creditors or if a trustee or receiver is appointed for Contractor or for any of its property, or if Contractor files a petition to take advantage of any debtor's act, or to reorganize under the bankruptcy or applicable laws, or on more than one occasion fails to supply sufficient skilled workmen or suitable material or equipment, or on more than one occasion fails to make prompt payments to subcontractors for labor, materials, or equipment, or disregards the authority of the County's representative, or the Engineer, if one is appointed, or violates any of the Contract assurances, nondiscrimination provisions or any other federal or state requirements as identified in Section 7-1.02 of the Special Provisions, or otherwise violates any provision of the Contract Documents, then County may, without prejudice to any other right or remedy and after giving Contractor and its Surety a minimum of ten (10) days from delivery of a written termination notice, terminate the services of Contractor and take equipment and machinery thereon owned by Contractor and finish the Work by whatever method County may deem expedient. In such case, Contractor shall not be entitled to receive any further payment until the Work is finished.

Without prejudice to other rights or remedies County may have, if Contractor fails to begin delivery of materials and equipment, to commence Work within the time specified, to maintain the rate of delivery of material, to execute the Work in the manner and at such locations as specified, or fails to maintain a work program which will ensure County's interest, or, if Contractor is not carrying out the intent of the Contract, an Inspector's written notice may be served upon Contractor and the Surety on its faithful performance bond demanding satisfactory compliance with the Contract. If Contractor or its Surety does not comply with such notice within five (5) days after receiving it, or after starting to comply, fails to continue, County may exclude it from the premises and take possession of all material and equipment, and complete the Work by County's own forces, by letting the unfinished Work to another Contractor, or by a combination of such methods.

Where Contractor's services have been so terminated by County, said termination shall not affect any right of County against Contractor then existing or which may thereafter accrue. Any retention or payment of monies by County due Contractor will not release Contractor from compliance with the Contract Documents.

If the unpaid balance of the Contract price exceeds the direct and indirect costs of completing the Work, including compensation for additional professional services, such excess shall be paid to Contractor. If the sums under the Contract are insufficient for completion, Contractor or Surety shall pay to County within five (5) days after the completion, all costs in excess of the Contract price. In any event, the cost of completing the Work shall be charged against Contractor and its Surety and may be deducted from any money due or becoming due from County.

The provisions of this Article shall be in addition to all other rights and remedies available to County under law.

If after notice of termination, it is determined for any reason that Contractor was not in default, the rights and obligations of the parties shall be the same as if the notice of termination had not been issued. The Contract shall be equitably adjusted to compensate for such termination.

#### **Article 11. SUCCESSORS AND ASSIGNS**

This Agreement shall bind and inure to the heirs, devisees, assignees, and successors in interest of Contractor and to the successors in interest of County in the same manner as if such parties had been expressly named herein.

#### **Article 12. REPORTING ACCIDENTS**

Contractor shall prepare and submit (within 24 hours of such incidents) reports of accidents at the site and anywhere else the work is in progress in which bodily injury is sustained or property loss in excess of Five Hundred Dollars (\$500.00) occurs.

#### **Article 13. EMISSION REDUCTION**

Contractor shall comply with emission reduction regulations mandated by the California Air Resources Board, and sign a certification of knowledge thereof:

##### **CERTIFICATE OF KNOWLEDGE – EMISSIONS REDUCTION REGULATIONS**

I am aware of the emissions reduction regulations being mandated by the California Air Resources Board. I will comply with such regulations before commencing the performance of the Work and maintain compliance throughout the duration of this Contract.

Signed: \_\_\_\_\_ Date \_\_\_\_\_

#### **Article 14. WORKERS' COMPENSATION CERTIFICATION**

Contractor shall comply with Labor Code Sections 3700 et seq., requiring it to obtain Workers' Compensation Insurance, and sign a certificate of knowledge thereof.

##### **CERTIFICATE OF KNOWLEDGE - LABOR CODE SECTION 3700**

I am aware of the provisions of Section 3700 of the Labor Code, which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of Work of this Contract.

Signed: \_\_\_\_\_ Date \_\_\_\_\_

#### **Article 15. WARRANTY**

Contractor warrants to County that materials and equipment furnished for the Work will be of good quality and new, unless otherwise required or permitted under the Contract Documents, that the Work will be free from defects or flaws and is of the highest quality of workmanship and that the Work will conform with the requirements herein. Work not conforming to these requirements, including substitutions not properly approved and authorized, shall be considered defective.

#### **Article 16. RETAINAGE**

The retainage from payment is set forth in Section 9-1.16F(1) of the Special Provisions. Contractor may elect to receive one hundred percent (100%) of payments due as set forth in the Contract Documents, without retention, by depositing securities of equivalent value with County, in accordance with, and as set forth in Section 22300 of the Public Contract Code. Securities eligible for deposit hereunder shall be limited to those listed in Section 16430 of the Government Code, or bank or savings and loan certificates of deposit.

#### **Article 17. RESERVED**

Meyers Stream Environment Zone/ Erosion Control Project  
Contract No. PW 16-31121, CIP No. 95179, P&C 087-C1799  
April 2017

County of El Dorado  
Agreement  
Page C-5

## **Article 18. PREVAILING WAGE REQUIREMENTS**

In accordance with the provisions of California Labor Code Sections 1770 et seq., including but not limited to Sections 1773, 1773.1, 1773.2, 1773.6, and 1773.7, the general prevailing rate of wages in the county in which the Work is to be done has been determined by the Director of the California Department of Industrial Relations. Interested parties can obtain the current wage information by submitting their requests to the Department of Industrial Relations, Division of Labor Statistics and Research, PO Box 420603, San Francisco CA 94142-0603, Telephone (415) 703-4708 or by referring to the website at <http://www.dir.ca.gov/OPRL/PWD>. The rates at the time of the bid advertisement date of a project will remain in effect for the life of the project in accordance with the California Code of Regulations, as modified and effective January 27, 1997.

Copies of the general prevailing rate of wages in the county in which the Work is to be done are also on file at the Community Development Agency, Transportation Division's principal office, and are available upon request, and in case of projects involving federal funds, federal wage requirements as predetermined by the United States Secretary of Labor have been included in the Contract Documents. Addenda to modify the Federal minimum wage rates, if necessary, will be issued as described in the Project Administration section of this Notice to Bidders.

In accordance with the provisions of Labor Code 1810, eight (8) hours of labor constitutes a legal day's work upon all work done hereunder, and Contractor and any subcontractor employed under this Contract must conform to and be bound by the provisions of Labor Code Sections 1810 through 1815.

This project is subject to the requirements of Title 8, Chapter 8, Subchapter 4.5 of the California Code of Regulations including the obligation to furnish certified payroll records directly to the Compliance Monitoring Unit under the Labor Commissioner within the Department of Industrial Relations Division of Labor Standards Enforcement in accordance with Section 16461.

No contractor or subcontractor may be awarded the contract for this Project unless registered with the Department of Industrial Relations in accordance with Labor Code section 1725.5.

In the case of federally funded projects, where federal and state prevailing wage requirements apply, compliance with both is required. This project is funded in whole or part by federal funds. Comply with Exhibit D of this Agreement and the Copeland Act (18 U.S.C. 874 and 29 CFR Part 3), the Davis-Bacon Act (40 U.S.C. 276a to 276a-7 and 29 CFR Part 5), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330 and 29 CFR Part 5).

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, Contractor and Subcontractors must pay not less than the higher wage rate. The Community Development Agency, Transportation Division will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by Contractor and Subcontractors, Contractor and Subcontractors must pay not less than the federal minimum wage rate which most closely approximates the duties of the employees in question.

## **Article 19. NONDISCRIMINATION**

- A. In connection with its performance under this Contract, Contractor shall comply with all applicable nondiscrimination statutes and regulations during the performance of this Contract including, but not limited to the following: Contractor, its employees, subcontractors and representatives shall not unlawfully discriminate against any employee or applicant for employment because of race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave or disability leave.

Contractor will take affirmative action to ensure that employees are treated during employment, without regard to their race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave or disability leave. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor shall post in conspicuous places, available to employees for employment, notices to be provided by State setting forth the provisions of this Fair Employment section. Contractor shall, unless exempt, comply with the applicable provisions of the Fair Employment and Housing Act (Government Code, Sections 12900 et seq.) and applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Sections 7285.0 et seq.); the applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations incorporated into this Agreement by reference and made a part hereof as if set forth in full; and Title VI of the Civil Rights Act of 1964, as amended. Contractor, its employees, subcontractors and representatives shall give written notice of their obligations under this clause as required by law.

- B. Where applicable, Contractor shall include these nondiscrimination and compliance provisions in any of its subcontracts that affect or are related to the Work performed herein.
- C. The Congress of the United States, the Legislature of the State of California and the Governor of the State of California, each within their respective jurisdictions, have prescribed certain nondiscrimination requirements with respect to Contract and other work financed with public funds. Contractor agrees to comply with the requirements of Exhibit B, marked "Fair Employment Practices Addendum" and the requirements of Exhibit C, marked "Nondiscrimination Assurances," including Appendices A through D to Exhibit C, both of which exhibits and all of the Appendices to Exhibit C are incorporated herein and made by reference a part hereof. Contractor further agrees that any agreement entered into by Contractor with a third party for the performance of project-related Work shall incorporate Exhibits B and C and Appendices A through D to Exhibit C (with third party's name replacing Contractor) as essential parts of such agreement to be enforced by that third party as verified by Contractor.
- D. Contractor's signature executing this Contract shall provide any certifications necessary under the federal laws and the laws of the State of California, including but not limited to Government Code Section 12990 and Title 2, California Code of Regulations, Section 8103.

## **Article 20. CONTRACTOR ASSURANCES**

By executing this Contract, Contractor certifies that it:

- a. Will abide by all administrative, contractual or legal remedies in instances where Contractor violates or breaches Contract terms, and will comply with sanctions and penalties as the Contract Administrator deems appropriate.
- b. Will comply with the termination for cause and termination for convenience provisions of the Contract including the manner by which such termination may be effected and the basis for settlement afforded by those provisions.
- c. Will comply with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60).
- d. Will comply with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3).
- e. Will comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented in Department of

Labor regulations (29 CFR part 3).

- f. Will comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR Part 5).
- g. Will comply with County, State of California and FHWA requirements and regulations pertaining to: (a) reporting; (b) patent rights with respect to any discovery or invention which arises or is developed in the course of or under this Contract; and (c) copyrights and rights in data.
- h. Will comply with all applicable standards, orders or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857 [h]), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15).
- i. Will comply with mandatory standards and policies relating to energy efficiency, which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. : 94-163, 89 Stat. 871).
- j. Will comply with: (i) Section 504 of the Rehabilitation Act of 1973 (Rehabilitation Act) which prohibits discrimination on the basis of disability in federally assisted programs; (ii) the Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination on the basis of disability irrespective of funding; and (iii) all applicable regulations and guidelines issued pursuant to both the Rehabilitation Act and the ADA.
- k. Will comply with the Department of Industrial Relations pursuant to Labor Code sections 1725.5 and 1771.1.

Any Subcontract entered into as a result of this Contract shall contain all of the provisions of this Article.

#### **Article 21. BUSINESS LICENSE**

The County Business License Ordinance provides that it is unlawful for any person to furnish supplies or services, or transact any kind of business in the unincorporated territory of County of El Dorado without possessing a County business license unless exempt under County Ordinance Code Section 5.08.070. Contractor warrants and represents that it shall comply with all of the requirements of the County Business License Ordinance, where applicable, prior to beginning work under this Contract and at all times during the term of this Contract.

#### **Article 22. TAXES**

Contractor certifies that as of today's date, it is not in default on any unsecured property taxes or other taxes or fees owed by Contractor to County. Contractor agrees that it shall not default on any obligations to County during the term of this Agreement.

#### **Article 23. CONTRACT ADMINISTRATOR**

The County Officer or employee with responsibility for administering this Agreement is John Kahling, Deputy Director Engineering, Headington Unit, Community Development Agency, Transportation Division, or successor.

#### **Article 24. AUTHORIZED SIGNATURES**

The parties hereto represent that the undersigned individuals executing this Agreement on behalf of their respective parties are fully authorized to do so by law or other appropriate instrument and to bind upon said parties the obligations set forth herein.

#### **Article 25. PARTIAL INVALIDITY**

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will continue in full force and effect without being impaired or

invalidated in any way.

#### **Article 26. NO THIRD PARTY BENEFICIARIES**

Nothing in this Agreement is intended, nor will be deemed, to confer rights or remedies upon any person or legal entity not a party to this Agreement.

#### **Article 27. COUNTERPARTS**

This Agreement may be executed in one or more counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument.

#### **Article 28. ENTIRE AGREEMENT**

This document and the documents referred to herein or exhibits hereto are the entire Agreement between the parties and they incorporate or supersede all prior written or oral agreements or understandings.

#### **Article 29. DRUG-FREE WORKPLACE**

Contractor agrees to maintain a drug-free workplace in accordance with Government Code Section 8355, et seq. by doing all of the following:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organization's workplace, and specifying actions that will be taken against employees for violations of this prohibition;
- b. Establishing a drug-free awareness program to inform employees about (1) the dangers of drug abuse in the workplace; (2) the person's or organization's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon employees for drug abuse violations;
- c. Submitting a drug-free workplace certification form Exhibit E to County with the submittal of the signed Agreement;
- d. Requiring that each employee engaged in the performance of the contract be given a copy of the certification.

**IN WITNESS WHEREOF**, the said Community Development Agency, Transportation Division of the County of El Dorado, State of California, has caused this Agreement to be executed by County's Board of Supervisors, on its behalf, and the said Contractor has signed this Agreement the day and year written below.

**COUNTY OF EL DORADO**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chair, Board of Supervisors

Board Date: \_\_\_\_\_

Attest:  
James S. Mitrisin  
Clerk of the Board of Supervisors

Dated: \_\_\_\_\_

Board Date: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

**CONTRACTOR**

Dated: \_\_\_\_\_

\_\_\_\_\_  
License No.

\_\_\_\_\_  
Federal Employee Identification  
Number

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Corporate Secretary

NOTE: If Contractor is a corporation, the legal name of the corporation shall be set forth above together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation; if Contractor is a co-partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts in behalf of the co-partnership; and if Contractor is an individual, his/her signature shall be placed above. Contractor executing this document on behalf of a corporation or partnership shall be prepared to demonstrate by resolution, article, or otherwise that they are appropriately authorized to act in these regards. For such corporation or partnership, such authority shall be demonstrated to the satisfaction of County. If signature is by an agent, other than officer of a corporation or a member of a partnership, an appropriate Power of Attorney shall be on file with the County prior to signing this document.

Mailing Address \_\_\_\_\_

Business Address \_\_\_\_\_

Email Address \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

**EXHIBIT A**  
**CONTRACTOR'S BID AND BID SCHEDULE**  
**MEYERS STREAM ENVIRONMENT ZONE/**  
**EROSION CONTROL PROJECT**  
**CONTRACT NO. PW 16-311121, CIP NO. 95179, P&C 087-C1799**

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (in Figures)		ITEM TOTAL (in Figures)	
1	999990	MOBILIZATION	LS	1				
2	025506	WOOD RAIL FENCE	LF	792				
3	072007	EXCAVATION SAFETY	LS	1				
4	120090	CONSTRUCTION AREA SIGNS	LS	1				
5	120100	TRAFFIC CONTROL SYSTEM	LS	1				
6	130100	JOB SITE MANAGEMENT	LS	1				
7	130000	TEMPORARY CONSTRUCTION ENTRANCE	EA	2				
8	130640	TEMPORARY FIBER ROLL	EA	20				
9	130670A	TEMPORARY REINFORCED SILT FENCE MODIFIED	LF	998				
10	130730	STREET SWEEPING	LS	1				
11	141000	TEMPORARY FENCE (TYPE ESA)	LF	6,880				
12	141000A	TEMPORARY FENCE (TYPE ESA) (TREE TRUNK PROTECTION)	EA	15				
13	150770A	REMOVE ASPHALT CONCRETE PAVEMENT (ARAPAHOE BULB)	LS	1				
14	150776A	REMOVE DRAINAGE FACILITY (CSP INLET)	EA	4				
15	150809A	REMOVE PIPE (LF)	LF	520				
16	151540	P RECONSTRUCT CHAIN LINK FENCE	LF	18				
17	160102A	TREE REMOVAL	EA	62				
18	190101A	ROADWAY EXCAVATION (SEDIMENT BASIN)	CY	2,524				



ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (in Figures)		ITEM TOTAL (in Figures)	
19	194001A	DITCH EXCAVATION (BLANKET LINED CHANNEL)	CY	229				
20	194001B	DITCH EXCAVATION (ROCK SLOPE PROTECTION)	CY	751				
21	194001C	DITCH EXCAVATION (BERM)	CY	229				
22	194001D	DITCH EXCAVATION (FILL EXISTING CHANNEL)	CY	32				
23	210011A	HUMUS	CY	129				
24	210012A	MULCH	CY	190				
25	210013A	TACKIFIER	SQFT	81,217				
26	390132A	HOT MIX ASPHALT (TYPE A) (SQFT)	SQFT	4,796				
27	394076A	SUPPLY AND PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	4				
28	510502A	F MINOR CONCRETE (MINOR STRUCTURE) (CONCRETE PIPE APRON)	CY	3				
29	510502B	MINOR CONCRETE (MINOR STRUCTURE) (ARTICULATED BLOCK)	SQFT	114				
30	510502C	F MINOR CONCRETE (MINOR STRUCTURE) (CONCRETE COLLAR AND ENCASEMENT)	CY	9				
31	641107A	18" PLASTIC PIPE	LF	577				
32	641107A	24" PLASTIC PIPE	LF	247				
33	641125A	36" PLASTIC PIPE	LF	115				
34	667010	24" X 18" CORRUGATED STEEL PIPE ARCH (.109" THICK)	LF	51				
35	667014	28" X 20" CORRUGATED STEEL PIPE ARCH (.109" THICK)	LF	121				
36	667019	35" X 24" CORRUGATED STEEL PIPE ARCH (.109" THICK)	LF	57				
37	681065A	24" PERFORATED PLASTIC PIPE UNDERDRAIN	LF	180				
38	700639	36" CORRUGATED STEEL PIPE INLET (.109" THICK)	EA	45				

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (in Figures)		ITEM TOTAL (in Figures)	
39	700655	48" CORRUGATED STEEL PIPE INLET (.109" THICK)	EA	6				
40	705011	18" STEEL FLARED END SECTION	EA	8				
41	705015	24" STEEL FLARED END SECTION	EA	8				
42	705407	28" X 20" STEEL FLARED END PIPE ARCH SECTION	EA	5				
43	705409	35" X 24" STEEL FLARED END PIPE ARCH SECTION	EA	1				
44	721026A	F ROCK SLOPE PROTECTION (NO. 1, METHOD A) (CY)	CY	481				
TOTAL BID								

(F) Final Pay Quantity

(P) Eligible for Partial Payment

(LS) Lump Sum

## **EXHIBIT B**

### **FAIR EMPLOYMENT PRACTICES ADDENDUM**

1. In the performance of this Agreement, Contractor will not discriminate against any employee for employment because of race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave or disability leave. Contractor will take affirmative action to ensure that employees are treated during employment, without regard to their race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave or disability leave. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor shall post in conspicuous places, available to employees for employment, notices to be provided by State setting forth the provisions of this Fair Employment section.
2. Contractor and all subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 1290-0 et seq.), and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12900(a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this Agreement by reference and made a part hereof as if set forth in full. Each of Contractor's contractors and all subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreements, as appropriate.
3. Contractor shall include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under this Agreement.
4. Contractor will permit access to the records of employment, employment advertisements, application forms and other pertinent data and records by County, State, the State Fair Employment and Housing Commission or any other agency of the State of California designated by State, for the purposes of investigation to ascertain compliance with the Fair Employment section of this Agreement.
5. Remedies for Willful Violation:
  - (a) County may determine a willful violation of the Fair Employment provision to have occurred upon receipt of a final judgment to that effect from a court in an action to which Contractor was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that Contractor has violated the Fair Employment Practices Act and had issued an order under Labor Code Section 1426 which has become final or has obtained an injunction under Labor Code Section 1429.
  - (b) For willful violation of this Fair Employment provision, County shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by County in securing the goods or services thereunder shall be borne and paid for by Contractor and by the surety under the performance bond, if any, and County may deduct from any moneys due or thereafter may become due to Contractor, the difference between the price named in the Agreement and the actual cost thereof to County to cure Contractor's breach of this Agreement.

## EXHIBIT C

### NONDISCRIMINATION ASSURANCES

Contractor hereby agrees that, as a condition to receiving any federal financial assistance from County or the State, acting for the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964" (hereinafter referred to as the Regulations), the Federal-aid Highway Act of 1973, and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which County receives federal financial assistance from the Federal Department of Transportation. Contractor hereby gives assurance that Contractor will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically, and without limiting the above general assurance, Contractor hereby gives the following specific assurances with respect to its Federal-aid Program:

1. That Contractor agrees that each "program" and each "facility" as defined in subsections 21.23 (e) and 21.23 (b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That Contractor shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-aid Program and, in adapted form, in all proposals for negotiated agreements:

Contractor hereby notifies all bidders that it will affirmatively insure that in any agreement entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for an award.

3. That Contractor shall insert the clauses of Appendix A of this assurance in every agreement subject to the Act and the Regulations.
4. That the clauses of Appendix B of this Assurance shall be included as a covenant running with the land, in any deed effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where Contractor receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where Contractor receives federal financial assistance in the form, or for the acquisition, of real property or an interest in real property, the Assurance shall extend to rights to space on, over, or under such property.
7. That Contractor shall include the appropriate clauses set forth in Appendix C and D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by Contractor with other parties:

Appendix C;

- (a) For the subsequent transfer of real property acquired or improved under the Federal-aid Program;  
and

Appendix D;

- (b) For the construction or use of or access to space on, over, or under real property acquired, or improved under the Federal-aid Program.
8. That this assurance obligates Contractor for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property or real property of interest therein, or structures, or improvements thereon, in which case the assurance obligates Contractor or any transferee for the longer of the following periods:
- (a) The period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - (b) The period during which Contractor retains ownership or possession of the property.
9. That Contractor shall provide for such methods of administration for the program as are found by the U.S. Secretary of Transportation, or the official to whom he delegates specific authority, to give reasonable guarantee that Contractor, other recipients, sub-grantees, applicants, sub-applicants, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed by, or pursuant to, the Act, the Regulations, this Assurance and the Agreement.
10. That Contractor agrees that County, the United States and the State of California have a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance.
11. Contractor shall not discriminate on the basis of race, religion, age, disability, color, national origin or sex in the award and performance of any State assisted contract or in the administration of County's DBE Program or the requirements of 49 CFR Part 26. Contractor shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of State assisted contracts. County's DBE Race-Neutral Implementation Agreement is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the recipient of its failure to carry out its approved DBE Race-Neutral Implementation Agreement, State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and/or the Program Fraud Civil Remedies Act of 1985 (31 USC 3801 et. seq.).

These Assurances are given in consideration of and for the purpose of obtaining any and all federal grants, loans, agreements, property, discounts or other federal financial assistance extended after the date hereof to County by State, acting for the U.S. Department of Transportation, and is binding on Contractor, other recipients, subgrantees, applicants, sub-applicants, transferees, successors in interest and other participants in the Federal-aid Highway Program.

## **APPENDIX A to EXHIBIT C**

During the performance of this Agreement, Contractor, for itself, its assignees and successors in interest (hereinafter collectively referred to as "Contractor") agrees as follows:

(1) **Compliance with Regulations:** Contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.

(2) **Nondiscrimination:** Contractor, with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of race, color, sex, national origin, religion, age, or disability in the selection and retention of sub-applicants, including procurements of materials and leases of equipment. Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Agreement covers a program set forth in Appendix b of the Regulations.

(3) **Solicitations for Sub-agreements, Including procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by Contractor for work performed under s Sub-agreement, including procurements of materials or leases of equipment, each potential sub-applicant or supplier shall be notified by Contractor of the Contractor's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.

(4) **Information and Reports:** Contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to Contractor's books, records, accounts, other sources of information, and its facilities as may be determined by County, State or FHWA to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of Contractor is in the exclusive possession of another who fails or refuses to furnish this information, Contractor shall so certify to County, State or the FHWA as appropriate, and shall set forth what efforts Contractor has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of Contractor's noncompliance with the nondiscrimination provisions of this Agreement, County shall impose such agreement sanctions as it, the State or the FHWA may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to Contractor under the Agreement within a reasonable period of time, not to exceed 90 days; and/or
- (b) cancellation, termination or suspension of the Agreement, in whole or in part.

(6) **Incorporation of Provisions:** Contractor shall include the provisions of paragraphs (1) through (6) in every sub-agreement, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

Contractor shall take such action with respect to any sub-agreement or procurement as County, State or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event Contractor becomes involved in, or is threatened with, litigation with a sub-applicant or supplier as a result of such direction, Contractor may request County or State enter into such litigation to protect the interests of County or State, and, in addition, Contractor may request the United States to enter into such litigation to protect the interests of the United States.

**APPENDIX B  
to  
EXHIBIT C  
(NOT USED)**

*Draft*

**APPENDIX C  
to  
EXHIBIT C  
(NOT USED)**

*Draft*



**APPENDIX D  
to  
EXHIBIT C  
(NOT USED)**

*Draft*

**EXHIBIT D**

**(NOT USED)**

*Draft*

**EXHIBIT E  
DRUG-FREE WORKPLACE CERTIFICATION**

COMPANY/ORGANIZATION NAME

---

The Contractor named above hereby certifies compliance with Government Code Section 8355 in matter relating to providing a drug-free workplace. The above named contractor will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:
  - a. The dangers of drug abuse in the workplace,
  - b. The person's or organization's policy of maintaining a drug-free workplace,
  - c. Any available counseling, rehabilitation, and employee assistance programs, and
  - d. Penalties that may be imposed upon employees for drug abuse violations.
3. Provide as required by Government Code Section 8355(c), that every employee who works on the proposed contract:
  - a. Will receive a copy of the company's drug-free policy statement, and
  - b. Will agree to abide by the terms of the company's statement as a condition of employment on the contract.

---

**CERTIFICATION**

---

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor to the above-described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIALS NAME

---

DATE EXECUTED

EXECUTED IN THE COUNTY OF

---

CONTRACTOR SIGNATURE

---

TITLE

---

FEDERAL I.D. NUMBER

---

**COUNTY OF EL DORADO**

**PAYMENT BOND**

(Section 3247, Civil Code)

Bond No. \_\_\_\_\_

WHEREAS, the County of El Dorado, a political subdivision of the State of California, hereafter referred to as "Obligee", has awarded to Contractor

\_\_\_\_\_ hereafter referred to as "Principal", a Contract for the Work described as follows:

**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT  
CONTRACT No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**

AND, WHEREAS, said Principal is required to furnish a bond in connection with said Contract, guaranteeing the faithful performance thereof:

NOW, THEREFORE, we the undersigned Principal and Surety are held and firmly bound unto the Obligees, in the sum of

Dollars,  
(\$ \_\_\_\_\_) to be paid to the Obligees, for which payment we bind ourselves, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH,

That if said Principal or its subcontractors shall fail to pay any of the persons named in Civil Code Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Principal and his subcontractors pursuant to Section 18806 of the Revenue and Taxation Code, with respect to such work and labor, that the Surety herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In case suit is brought upon this bond, the Surety will pay a reasonable attorney's fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons named in Civil Code Section 3181 as to give a right of action to such persons or their assigns in any suit brought upon this bond.

Dated: \_\_\_\_\_

Correspondence or Claims relating to this bond should be sent to the Surety at the following address:

\_\_\_\_\_  
PRINCIPAL

\_\_\_\_\_  
SURETY

\_\_\_\_\_  
ATTORNEY-IN-FACT

NOTE: Signatures of those executing for the Principal and for the Surety must be properly acknowledged, and a Power of Attorney attached for the Surety.

**NOTARY ACKNOWLEDGMENTS ATTACHED**

# PRINCIPAL

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

# SURETY

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

COUNTY OF EL DORADO

PERFORMANCE BOND

Bond No. \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, that we \_\_\_\_\_  
the Contractor in the Contract hereto annexed, as Principal, and \_\_\_\_\_  
as Surety, are held firmly bound unto the County of El Dorado, a political subdivision of the State of California, hereinafter called the  
"Obligee" in the sum of \_\_\_\_\_ DOLLARS,  
(\$ \_\_\_\_\_) lawful money of the United States, for which payment, well and truly to be made, we bind  
ourselves, jointly and severally, firmly by these presents.

Signed, sealed and dated: \_\_\_\_\_

The condition of the above obligation is such that if said Principal as Contractor in the Contract hereto annexed shall faithfully perform each and all of the conditions of said Contract to be performed by him, and shall furnish all tools, equipment, apparatus, facilities, transportation, labor and material, other than material, if any, agreed to be furnished by the Obligees, necessary to perform and complete, and to perform and complete in a good and workmanlike manner, the work of **Contract No. PW 16-31121, CIP No. 95179, P&C 087-C1799 for the Meyers Stream Environment Zone/ Erosion Control Project** in strict conformity with the terms and conditions set forth in the Contract hereto annexed, then this obligation shall be null and void; otherwise this bond shall remain in full force and effect and the said Surety will complete the Contract work under its own supervision, by Contract or otherwise, and pay all costs thereof for the balance due under terms of the Contract, and the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the work to be performed thereunder shall in any wise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work.

In the event suit is brought upon this bond by the Obligees and judgment is recovered, the Surety shall pay all costs incurred by the Obligees in such suit, including a reasonable attorney's fee to be fixed by the court.

This guarantee shall insure the Obligees during the work required by any Contract and for a period of one (1) year from the date of acceptance of the work against faulty or improper materials or workmanship that may be discovered during that time.

No right of action shall accrue under this bond to or for the use of any person other than the Obligees named herein.

Dated: \_\_\_\_\_, 20\_\_\_\_.

Correspondence or Claims relating to this bond should be sent  
to the Surety at the following address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PRINCIPAL

SURETY

ATTORNEY-IN-FACT

NOTE: Signatures of those executing for the Principal and the Surety must be properly acknowledged, and a Power of Attorney attached for the Surety.

NOTARY ACKNOWLEDGMENTS ATTACHED

# PRINCIPAL

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)



# SURETY

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

COMPLETING BID IN PENCIL, ERASURES, OVERWRITES, AND USE OF CORRECTION FLUID OR TAPE ARE NOT ACCEPTABLE. BID PROPOSALS WITH PENCIL, ERASURES, OVERWRITES, OR USE OF CORRECTION FLUID OR TAPE WILL BE REJECTED. ALL CHANGES MUST BE LINED OUT AND CORRECTIONS INSERTED ADJACENT TO AND INITIALED BY THE BIDDER'S AUTHORIZED REPRESENTATIVE.

## PROPOSAL

(to be submitted with Bidder's Security)

TO: COUNTY OF EL DORADO,  
STATE OF CALIFORNIA  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION,

for the construction of the

MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT  
CONTRACT No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799

NAME OF BIDDER \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

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

PHYSICAL ADDRESS \_\_\_\_\_

*(Please include even if Mailing Address used)*

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

TELEPHONE NO:      AREA CODE (      ) \_\_\_\_\_

FAX NO:      AREA CODE (      ) \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

The Work for which this Proposal is submitted is for the construction in accordance with these Contract Documents (including the payment of not less than the State general prevailing wage rates **or Federal minimum wage rates** set forth herein), the Project Plans described below, including any addenda thereto, the Contract annexed hereto, and also in accordance with the California Department of Transportation Standard Plans 2010, the Standard Specifications 2010, Revised Standard Specifications, standard drawings from the Design and Improvement Standards Manual of the County of El Dorado, revised March 8, 1994 including Resolutions 199-91 and 58-94 to adopt changes to the Design and Improvement Standards Manual; the Labor Surcharge and Equipment Rental Rates in effect on the date the Work is accomplished, and in accordance with the General Prevailing Wage rates. The Project Plans and Contract Documents for the Work to be done are entitled:

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
April 2017

County of El Dorado  
**Proposal**  
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**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT  
CONTRACT No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**

Bids are to be submitted for the entire Work. The amount of the bid for comparison purposes will be the total of all the items.

The Bidder shall set forth for each unit basis item of work a unit price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the "Item Total" column shall be the product of the unit price bid and the estimated quantity for the item.

In case of discrepancy between the item price and the total set forth for a unit basis item, the unit price shall prevail, except as provided in (a) or (b), as follows:

- (a) If the amount set forth as a unit price is unreadable or otherwise unclear, or is omitted, or is the same as the amount as the entry in the item total column, then the amount set forth in the total column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price;
- (b) (Decimal Errors) If the product of the entered unit price and the estimated quantity is exactly off by a factor of ten, one hundred, etc., or one-tenth, or one-hundredth, etc., from the entered total, the discrepancy will be resolved by using the entered unit price or item total, whichever most closely approximates percentage wise the unit price or item total in the Community Development Agency, Transportation Division's Final Estimate of cost.

If this Proposal is accepted and the undersigned Bidder shall fail to enter into the Contract and furnish the two bonds in the sums required by the State Contract Act, with surety satisfaction to the County of El Dorado and in accordance with the Special Provisions within five (5) days, not including Saturdays, Sundays, and legal holidays, of the date of the letter notice from the County of El Dorado that the Contract has been awarded, the County of El Dorado may, at its option, determine that the Bidder has abandoned the Contract, and thereupon this Proposal and the acceptance thereof shall be null and void and the forfeiture of such security accompanying this Proposal shall operate and the same shall be the property of the County of El Dorado.

The undersigned, as Bidder, declares under penalty of perjury under the laws of the State of California that the only persons or parties interested in this Proposal, as principals, are those named herein; that this Proposal is made without collusion with any other person, firm, or corporation; that it has carefully examined the location of the proposed work, the annexed proposed form of Contract, and the Plans therein referred to; and that it proposes, and agrees if this Proposal is accepted, that it will contract with the County of El Dorado, in the form of the copy of the Draft Contract annexed hereto, to provide all necessary machinery, tools, apparatus, and other means of construction, and to do all the work and furnish all the materials specified in the Contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that it will take in full payment therefore the following item prices, to wit:

**PROPOSAL PAY ITEMS AND BID PRICE SCHEDULE  
MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT  
CONTRACT NO. PW 16-31121, CIP NO. 95179, P&C No. 087-C1799**

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (IN FIGURES)		ITEM TOTAL (IN FIGURES)	
1	999990	MOBILIZATION	LS	1				
2	025506	WOOD RAIL FENCE	LF	792				
3	072007	EXCAVATION SAFETY	LS	1				
4	120090	CONSTRUCTION AREA SIGNS	LS	1				
5	120100	TRAFFIC CONTROL SYSTEM	LS	1				
6	130100	JOB SITE MANAGEMENT	LS	1				
7	130000	TEMPORARY CONSTRUCTION ENTRANCE	EA	2				
8	130640	TEMPORARY FIBER ROLL	EA	20				
9	130670A	TEMPORARY REINFORCED SILT FENCE MODIFIED	LF	998				
10	130730	STREET SWEEPING	LS	1				
11	141000	TEMPORARY FENCE (TYPE ESA)	LF	6,880				
12	141000A	TEMPORARY FENCE (TYPE ESA) (TREE TRUNK PROTECTION)	EA	15				
13	150770A	REMOVE ASPHALT CONCRETE PAVEMENT (ARAPAHOE BULB)	LS	1				
14	150776A	REMOVE DRAINAGE FACILITY (CSP INLET)	EA	4				
15	150809A	REMOVE PIPE (LF)	LF	520				
16	151540	P RECONSTRUCT CHAIN LINK FENCE	LF	18				

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (IN FIGURES)		ITEM TOTAL (IN FIGURES)	
17	160102A	TREE REMOVAL	EA	62				
18	190101A	ROADWAY EXCAVATION (SEDIMENT BASIN)	CY	2,524				
19	194001A	DITCH EXCAVATION (BLANKET LINED CHANNEL)	CY	229				
20	194001B	DITCH EXCAVATION (ROCK SLOPE PROTECTION)	CY	751				
21	194001C	DITCH EXCAVATION (BERM)	CY	229				
22	194001D	DITCH EXCAVATION (FILL EXISTING CHANNEL)	CY	32				
23	210011A	HUMUS	CY	129				
24	210012A	MULCH	CY	190				
25	210013A	TACKIFIER	SQFT	81,217				
26	390132A	HOT MIX ASPHALT (TYPE A) (SQFT)	SQFT	4,796				
27	394076A	SUPPLY AND PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	4				
28	510502A	F MINOR CONCRETE (MINOR STRUCTURE) (CONCRETE PIPE APRON)	CY	3				
29	510502B	MINOR CONCRETE (MINOR STRUCTURE) (ARTICULATED BLOCK)	SQFT	114				
30	510502C	F MINOR CONCRETE (MINOR STRUCTURE) (CONCRETE COLLAR AND ENCASEMENT)	CY	9				
31	641107A	18" PLASTIC PIPE	LF	577				
32	641107A	24" PLASTIC PIPE	LF	247				
33	641125A	36" PLASTIC PIPE	LF	115				
34	667010	24" X 18" CORRUGATED STEEL PIPE ARCH (.109" THICK)	LF	51				

ITEM NO.	ITEM CODE		ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (IN FIGURES)		ITEM TOTAL (IN FIGURES)	
35	667014		28" X 20" CORRUGATED STEEL PIPE ARCH (.109" THICK)	LF	121				
36	667019		35" X 24" CORRUGATED STEEL PIPE ARCH (.109" THICK)	LF	57				
37	681065A		24" PERFORATED PLASTIC PIPE UNDERDRAIN	LF	180				
38	700639		36" CORRUGATED STEEL PIPE INLET (.109" THICK)	EA	45				
39	700655		48" CORRUGATED STEEL PIPE INLET (.109" THICK)	EA	6				
40	705011		18" STEEL FLARED END SECTION	EA	8				
41	705015		24" STEEL FLARED END SECTION	EA	8				
42	705407		28" X 20" STEEL FLARED END PIPE ARCH SECTION	EA	5				
43	705409		35" X 24" STEEL FLARED END PIPE ARCH SECTION	EA	1				
44	721026A	F	ROCK SLOPE PROTECTION (NO. 1, METHOD A) (CY)	CY	481				
<b>TOTAL BID</b>									

(F) Final Pay Quantity  
(P) Eligible for Partial Payment  
(LS) Lump Sum

(NOTICE: Bidders failure to execute the questionnaires and statements contained in this proposal as required by applicable laws and regulations, or the determinations by County of El Dorado based upon those questionnaires and statements, may prohibit award of the subject Contract to the bidder.)

## SUBCONTRACTOR LIST

The Bidder must list the name, address, and license number, of each subcontractor to whom the Bidder proposes to subcontract portions of the Work, as required by the provisions in section 2-1.33. The Bidder must also list the Work portion to be performed by each subcontractor by listing the bid item number, bid item description, and portion of the Work to be performed by the subcontractor in the form of a percentage calculated by dividing the Work to be performed by the subcontractor by the respective bid item amount(s) (not by the total bid price).

Name	Address of Business	License No.	Bid Item Number and Bid Item Description	Percentage of Each Bid Item Subcontracted

*(THE BIDDER'S EXECUTION ON THE SIGNATURE PORTION OF THIS PROPOSAL SHALL  
ALSO CONSTITUTE AN ENDORSEMENT AND EXECUTION OF THOSE CERTIFICATIONS  
WHICH ARE A PART OF THIS PROPOSAL)*

**EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION**

	<u>Has</u>	<u>Has Not</u>
The Bidder _____	_____	_____
Proposed Subcontractor(s) _____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

hereby certifies the above information regarding participation in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, 11246, and 11375, and as supplemented by 41 CFR 60, and that, where required he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

**NOTE:** The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by Bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.



## Public Contract Code Section 10285.1 Statement

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the Bidder hereby declares under penalty of perjury under the laws of the State of California that the Bidder has \_\_\_\_\_, has not \_\_\_\_\_ been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

**Note:** The Bidder must place a check mark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

## Public Contract Code Section 10162 Questionnaire

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If the answer is yes, explain the circumstances in the following space.

## Public Contract Code Section 10232 Statement

In conformance with Public Contract Code Section 10232, the Bidder, hereby states under penalty of perjury under the laws of the State of California, that no more than one final unappealable finding of contempt of court by a Federal Court has been issued against the Bidder within the immediately preceding two year period because of the Bidder's failure to comply with an order of a Federal Court which orders the Bidder to comply with an order of the National Labor Relations Board.

**Note:** The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.  
Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

## **NONCOLLUSION AFFIDAVIT**

(Title 23 United States Code Section 112 and  
Public Contract Code Section 7106)

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the Bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed Contract; that all statements contained in the bid are true; and, further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

### **NOTE:**

The above Noncollusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

**DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION CERTIFICATION,  
UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) UNIFORM FEDERAL  
ASSISTANCE REGULATIONS, 7 CODE OF FEDERAL REGULATIONS (CFR) 3016, UNIFORM  
ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS TO STATE AND  
LOCAL GOVERNMENTS, AND EXECUTIVE ORDER 12549**

The Bidder, under penalty of perjury under the laws of the State of California, certifies that, except as noted below, he or any person associated therewith in the capacity of owner, partner, director, officer, or manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and,
- has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space:

Exceptions may result in denial of award, and will be considered in determining Bidder responsibility. For any exception noted above, indicate below to whom it applied, initiating agency, and dates of action.

**Notes:** Providing false information may result in criminal prosecution or administrative sanctions.

The above Certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

## **NON-LOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS**

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No federal or state appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal or state agency, a member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or an employee of a Member of the Legislature or Congress in connection with the awarding of any state or federal contract, including this Contract, the making of any federal grant, the making of any state or federal loan, the entering into of any cooperative contract, and the extension, continuation, renewal, amendment, or modification of any state or federal contract, grant, loan, or cooperative contract.
- (2) If any funds other than federal appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with this Contract, grant, local, or cooperative contract, the Bidder shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with the form instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Bidder also agrees by submitting its bid or Proposal that it shall require that the language of this certification be included in all of its subcontracts which exceed \$100,000 and that all such subcontractors shall certify and disclose accordingly. If the Bidder is awarded this Contract, it shall ensure that all subcontractors submit certifications regarding federal lobbying activities as required by Section 1352, Title 31, United States Code and that all such certifications are made a part of any subcontracts entered into as a result of this Contract.

# DISCLOSURE OF LOBBYING ACTIVITIES

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

## 1. Type of Federal Action:

- ☐ a. contract  
b. grant  
c. cooperative agreement  
d. loan  
e. loan guarantee  
f. loan insurance

## 2. Status of Federal Action:

- ☐ a. bid/offer/application  
b. initial award  
c. post-award

## 3. Report Type:

- ☐ a. initial  
b. material change

### For Material Change Only:

year \_\_\_\_\_ quarter \_\_\_\_\_  
date of last report \_\_\_\_\_

## 4. Name and Address of Reporting Entity

- ☐ Prime ☐ Subawardee  
Tier \_\_\_\_\_, if known

Congressional District, if known

## 5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:

Congressional District, if known

## 6. Federal Department/Agency:

## 7. Federal Program Name/Description:

CFDA Number, if applicable \_\_\_\_\_

## 8. Federal Action Number, if known:

## 9. Award Amount, if known:

## 10. a. Name and Address of Lobby Entity (If individual, last name, first name, MI)

## b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI)

(attach Continuation Sheet(s) if necessary)

## 11. Amount of Payment (check all that apply)

\$ \_\_\_\_\_ ☐ actual ☐ planned

## 12. Form of Payment (check all that apply):

- ☐ a. cash  
☐ b. in-kind; specify: nature \_\_\_\_\_  
Value \_\_\_\_\_

## 13. Type of Payment (check all that apply)

- ☐ a. retainer  
☐ b. one-time fee  
☐ c. commission  
☐ d. contingent fee  
☐ e. deferred  
☐ f. other, specify \_\_\_\_\_

## 14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:

(attach Continuation Sheet(s) if necessary)

## 15. Continuation Sheet(s) attached: Yes ☐ No ☐

16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized for Local Reproduction

Standard Form - LLL

## Federal Use Only:

Standard Form LLL Rev. 04-28-06

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether sub awardee or prime Federal recipient, at the initiation or receipt of covered Federal action or a material change to previous filing pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered Federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant. or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influenced the covered Federal action.  
(b) Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with Federal officials. Identify the Federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

SF-LLL-Instructions Rev. 06-04-90

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
April 2017

County of El Dorado  
**Proposal**  
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Accompanying this proposal is \_\_\_\_\_  
(NOTICE: INSERT THE WORDS "CASH(\$\_\_\_\_),"CASHIER'S CHECK," "CERTIFIED CHECK," OR "BIDDERS BOND," AS THE CASE MAY BE)

in amount equal to at least ten percent of the amount of the total bid.

**The names of all persons interested in the forgoing Proposal as principals are as follows:**

**IMPORTANT NOTICE:** If the Bidder or other interested person is a corporation, state legal name of corporation and place of incorporation, also names of the president, secretary, treasurer, and executive officer thereof; if a partnership, state name of partnership, also names of all individual partners; if Bidder or other interested person is an individual, state first and last names in full.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Licensed in accordance with an act providing for the registration of Contractors,

License No. \_\_\_\_\_ Classification(s) \_\_\_\_\_

**(A Copy of the afore-referenced license must be attached hereto.)**

**ADDENDA:** This Proposal is submitted with respect to the changes to the Contract included in addenda number (s) \_\_\_\_\_

(Fill in addenda numbers if addenda have been received and insert, in this Proposal, any Proposal Pay Items and Bid Price Schedules that were received as part of the addenda)

By my signature on this Proposal I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 10162, 10232, and 10285.1 are true and correct and that the Bidder has complied with the requirements of Sections 4104 of the Subletting and Subcontracting Fair Practices Act and of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5 of Division 4 of Title 2 of the California Code of Regulations). By my signature on this Proposal I further certify, under penalty of perjury under the laws of the State of California and the United States of America, that the Noncollusion Affidavit required by Title 23 United States Code, Section 112 and Public Contract Code Section 7106; and the Equal Employment Opportunity Certification; and the Debarment Suspension, Ineligibility and Voluntary Exclusion Certification; the Non-lobbying Certification for Federal-Aid Contracts and the Disclosure of Lobbying Activities (Standard Form LLL); the Fair Employment Practice Addendum, and the Nondiscrimination Assurances are true and correct.

The person or persons executing this Proposal on behalf of a corporation or partnership shall be prepared to demonstrate by resolution, article, or otherwise, that such person is or that such persons are appropriately authorized to act in these regards for such corporation or partnership. Such authority shall be demonstrated to the satisfaction of the County of El Dorado.

If the signature is by an agent other than an officer of a corporation or a member of a partnership, a power of attorney authorizing said act by the agent on behalf of his principal shall be submitted with the bid forms; otherwise, the bid may be disregarded as irregular and unauthorized.

The Bidder's execution on the signature portion of this Proposal shall constitute an endorsement and execution of those affidavits, declarations and certifications which are part of this Proposal.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ County, State of \_\_\_\_\_

**Sign**  
  
**Here**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and Title of Bidder \_\_\_\_\_

Name of Firm \_\_\_\_\_

**END OF PROPOSAL**

Meyers Stream Environment Zone/ Erosion Control Project  
**Contract No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**  
April 2017

County of El Dorado  
**Proposal**  
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COUNTY OF EL DORADO

BIDDER'S BOND

**this form MUST be used**

KNOW ALL PEOPLE BY THESE PRESENTS, THAT WE \_\_\_\_\_  
\_\_\_\_\_ as **PRINCIPAL**, and  
\_\_\_\_\_

as Surety are held and firmly bound unto the County of El Dorado, a political subdivision of the State of California (hereinafter referred to as "Obligee"), in the penal sum of **TEN (10) PERCENT OF THE AMOUNT OF THE TOTAL BID PRICE** of the Principal above named, submitted by said Principal to the Obligee for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made to the Obligee, we the Principal and Surety bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the Surety hereunder exceed the sum of

**TEN PERCENT (10%) OF THE AMOUNT OF THE TOTAL BID PRICE**

**THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:**

**WHEREAS**, the Principal has submitted the above-mentioned Bid to the Obligee, as aforesaid, for certain construction specifically described as follows, for which bids are to be opened at South Lake Tahoe, El Dorado County, California, for the construction of the

**MEYERS STREAM ENVIRONMENT ZONE/  
EROSION CONTROL PROJECT  
CONTRACT No. PW 16-31121, CIP No. 95179, P&C No. 087-C1799**

**NOW, THEREFORE**, if the aforesaid Principal is awarded the Contract and, within the time and manner required under the Contract Documents, after the prescribed forms are presented to it for signature, enters into a written contract, in the prescribed form, in accordance with the Bid, and files two bonds with the Obligee, one to guarantee faithful performance and the other to guarantee payment for labor and materials, as required by law, then this obligation shall be null and void; otherwise, it shall remain in full force and virtue.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the Court.

**IN WITNESS WHEREOF**, we have set our hands and seals on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

(seal) \_\_\_\_\_  
Principal

(seal) \_\_\_\_\_  
Surety

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

(NOTE: Signature of those executing for the Surety shall be properly acknowledged, and accompanied by a Certificate of Acknowledgment.)

# SURETY

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)