

Meade County
Project 14.2030.C02
PCN X03P

A Pre-Bid meeting will be held in Sturgis at the Sturgis Fire Hall (1901 Ballpark Road) from 10:00am to 12:00pm MT on Thursday, February 18, 2016. All interested parties are strongly encouraged to attend.

NOTICE TO ALL BIDDERS

TO REPORT BID RIGGING ACTIVITIES, CALL: 1-800-424-9071

THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) OPERATES THE ABOVE TOLL-FREE "HOTLINE" MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M., EASTERN TIME. ANYONE WITH KNOWLEDGE OF POSSIBLE BID RIGGING, BIDDER COLLUSION, OR OTHER FRAUDULENT ACTIVITIES SHOULD USE THE "HOTLINE" TO REPORT SUCH ACTIVITIES.

THE "HOTLINE" IS PART OF THE DOT'S CONTINUING EFFORT TO IDENTIFY AND INVESTIGATE HIGHWAY CONSTRUCTION CONTRACT FRAUD AND ABUSE AND IS OPERATED UNDER THE DIRECTION OF THE DOT INSPECTOR GENERAL.

ALL INFORMATION WILL BE TREATED CONFIDENTIALLY AND CALLER ANONYMITY WILL BE RESPECTED.

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PLANS, PROPOSALS AND ADDENDA

AFTER AWARD OF CONTRACT, THE LOW BIDDER WILL RECEIVE TEN (10) COMPLIMENTARY SETS OF PLANS, PROPOSALS, PROJECT Q & A FORUM, AND ADDENDA FOR FIELD AND OFFICE USE. AN ELECTRONIC COPY WILL ALSO BE PROVIDED. ANY ADDITIONAL COPIES REQUIRED WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.

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NOTICE TO CONTRACTORS

Bid proposals for this project will be received electronically by the South Dakota Department of Transportation (SDDOT) via the SDDOT secure bid submission site at <http://apps.sd.gov/hc65bidletting/bidsubmittallogin.aspx> until 10 A.M. Central time, on March 2, 2016, at which time the SDDOT will open bids. All bids will be checked for qualifications with results posted on the SDDOT website. The South Dakota Transportation Commission will consider all bids at a scheduled Commission meeting.

The work for which proposals are hereby requested is to be completed within the following requirement(s):

FIELD WORK COMPLETION: **JUNE 30, 2017**

The DBE goal for this project is: **NOT SPECIFIED.**

Work Type for this project is: **Work Type 2 or Work Type 5.**

Bidding package for the work may be obtained at:
<http://apps.sd.gov/hc65bidletting/ebslettings1.aspx>

An electronic version of the most recent version of the South Dakota Standard Specifications for Roads and Bridges may be obtained at <http://www.sddot.com/business/contractors/specs/Default.aspx>

The electronic bid proposal must be submitted by a valid bidder as designated on the [Bidding Authorization Form](#). The Bidder ID and Password, coupled with a previously Department assigned Company ID, will serve as authentication that an individual is a valid bidder and will assure the secure electronic delivery of bid proposals to the Department. This authorization shall remain in full force and effect until written notice of termination of this authorization is sent by an Officer of the company and received by the Department.

PROPOSAL

Revised 8/10/11

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, STATE OF SOUTH DAKOTA:

Ladies / Gentlemen:

The following proposal is made on behalf of the undersigned and no others. It is in all respects fair and is made without collusion on the part of any other person, firm or corporation not appearing in the signature to this proposal.

The undersigned certifies that she / he has carefully examined the plans listed herein, the Specifications hereinbefore referred to, the Special Provisions and the form of contract, both of which are attached hereto. The undersigned further certifies that she / he has personally inspected the actual location of the work, together with the local sources of supply and that she / he understands the conditions under which the work is to be performed, or, that if she / he has not so inspected the actual location of the work, that she / he waives all right to plea any misunderstanding regarding the location of the work or the conditions peculiar to the same.

On the basis of the plans, Specifications, Special Provisions and form of contract proposed for use, the undersigned proposes to furnish all necessary machinery, tools, apparatus and other means of construction, to do all the work and furnish all the materials in the manner specified, to finish the entire project **within the contract time specified** and to accept as full compensation therefore the amount of the summation of the products of the actual quantities, as finally determined, multiplied by the unit prices bid.

The undersigned understands that the quantities as shown in the Bid Schedule are subject to increase or decrease, and hereby proposes to perform all quantities of work, as increased or decreased, in accordance with the provisions of the specifications, and subject to any applicable special provisions, and at the unit prices bid.

The undersigned understands that the "Total or Gross Amount Bid" as immediately hereinbefore set forth is not the final amount which will be paid if this proposal is accepted and the work done, but that such amount is computed for the purpose of comparison of the bids submitted and the determination of the amount of the performance bond.

The undersigned further proposes to perform all extra work that may be required on the basis provided in the specifications, and to give such work personal attention in order to see that it is economically performed.

The undersigned further proposes to both execute the contract agreement and to furnish a satisfactory performance bond, in accordance with the terms of the specifications, within twenty (20) calendar days after the date of Notice of Award from the South Dakota Department of Transportation that this proposal has been accepted.

REV. 8/3/15

SPECIAL PROVISIONS

PROJECT NUMBER(S): 14.2030.C02 () PCN: X03P

TYPE OF WORK: WATER MAIN IMPROVEMENTS

COUNTY: MEADE

The following clauses have been prepared subsequent to the Standard Specifications for Roads and Bridges and refer only to the above described improvement, for which the following Proposal is made. In case of any discrepancy or conflict between said specifications and these Special Provisions, the latter are to govern.

The Contractor's attention is directed to the need for securing from the Department of Environment & Natural Resources, Foss Building, Pierre, South Dakota, permission to remove water from public sources (lakes, rivers, streams, etc.). The Contractor should make his request as early as possible after receiving his contract, and insofar as possible at least 30 days prior to the date that the water is to be used.

Lisa Johnson is the official in charge of the Spearfish Career Center for Meade County.

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

Instructions for Bidders, dated 2/5/16.

Special Provision Regarding Combination Bids, dated 2/5/16.

Special Provision Regarding the City Portion for Subletting, dated 2/5/16.

City of Sturgis Water and Utility Specifications.

Standard Title VI Assurance, dated 1/15/04.

Special Provision For Implementation of Clean Air Act & Federal Water Pollution Control Act, dated 9/1/97.

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**14.2030.C02 (), PCN X03P
WATER MAIN IMPROVEMENTS
MAIN STREET**

INSTRUCTIONS FOR BIDDERS

February 5, 2016

- 1) This Water Main Improvements Project will be let and awarded by the South Dakota Department of Transportation.
- 2) Department of Transportation procedures regarding letting and awarding of contracts shall be followed.
- 3) Bidders submitting a bid on this project shall also submit a bid on Project P 7668(05) PCN 04AE, Meade County. Award of these projects will be to the same bidder based on the total of the two projects.
- 4) A prospective bidder must request any explanation regarding the meaning or interpretation of the bidding package in adequate time to allow a Department reply to reach all prospective bidders before submission of final bid proposals. The bidder will contact the Department by submitting a request for explanation to the project Q&A forum.
- 5) All bid bonds shall be made out to the Department of Transportation
- 6) The contract completion date for this project will be the same as specified of Project P 7668(05) PCN 04AE,, Meade County. Any delays in completing this contract will not be a basis for an extension of the contract completion time for PCN 04AE, Meade County.
- 7) After award of contract, the Contractor shall furnish satisfactory proof of coverage of insurance. Copies of Certificates of Insurance shall be furnished to the Department of Transportation AND City of Sturgis. The Contractor will be required to provide a performance bond in a sum equal to the total amount of the contract, in a form acceptable to the City. The performance bond shall remain in effect for a period of one year after the City considers the contract to be completed and accepted.
- 8) The contractor is required to schedule and conduct a preconstruction meeting that shall be held jointly with the preconstruction meeting for the state contract. Additionally the contractor is responsible for contacting the city for a list of required submittals upon receiving Notice of Award of the contract.
- 9) Construction engineering for this contract will be performed by the City of Sturgis.
- 10) Payment for this Utilities project will be made to the Contractor by the City of Sturgis.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION REGARDING
COMBINATION BIDS**

**14.2030.C02 (), PCN X03P
WATER MAIN IMPROVEMENTS
MEADE COUNTY**

FEBRUARY 5, 2016

Bidders submitting a bid on this project **MUST ALSO** submit a bid on project:

P 7668(05), PCN 04AE
MAIN STREET
GRADING, STORM SEWER, CURB & GUTTER, SIDEWALK, AC SURFACING,
LIGHTING, MILL & AC OVERLAY
MEADE COUNTY

Award of both projects will be to the same bidder based on the total of the two projects.

Work on PCN (04AE) CANNOT be used to meet the DBE Goal established for this project.

After award, the contracts will be administered as entirely separate contracts.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION REGARDING
THE CITY PORTION FOR SUBLETTING**

**14.2030.C02 (), PCN X03P
MEADE COUNTY**

FEBRUARY 5, 2016

This project is let in combination with State Project Number P 7668(05) PCN 04AE. The provisions of section 8.1 of the specifications requiring the Contractor to perform work amounting to not less than 50% of the total contract cost with the Contractor's own organization will not apply to the work on this contract.

Article I- TITLE, SCOPE AND GENERAL

A. Title

1. These regulations shall be known as the “**Development and Construction Standards**” for the City of Sturgis.

B. Purpose

1. The purpose of these standards is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, location and maintenance of all buildings, streets, sewer and water mains within the jurisdictional limits of the "City of Sturgis".

C. Scope

1. The provisions of these standards shall apply to construction, alteration or repair of buildings, streets and city utilities within the "City of Sturgis". Where in any specific case, different sections of this manual may specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and specific requirement, the specific shall be applicable. The City of Sturgis reserves the right to amend this manual without prior notice to any persons, groups, organizations or any other that may be affected by these standards.

D. General

1. Existing Installations: Buildings, streets and city utilities in existence at the time of the adoption of this manual may have their existing use continued, if such use was legal at the time of the adoption of these standards; provide that such use is not dangerous to life or limb.
2. Additions, Alterations or Repairs: All of which may be made without requiring the existing street or city utilities to meet the provisions of this manual, provided that any addition, alteration or repair conforms to the provisions in these standards for new construction and does not make the existing installation unsafe.
3. Maintenance: All streets and city utilities shall be maintained in a safe and sanitary condition. All devices or safeguards required by these standards or any other state law or City ordinance shall be maintained in conformance with the manual, law or ordinance under which they were installed.
4. Historic Preservation: Repairs, alteration and additions necessary for preservation or continued use may be made without conformance to the requirements of these standards, with authorization from the City Council, provided;
 - a. The building or area has been designated by action of the legally constituted authority of the jurisdiction as having special historical or architectural significance.
 - b. Any unsafe conditions are corrected.
 - c. The restored or area will not be more hazardous, based on life, safety, fire safety and sanitation regulations, than the existing construction.

5. Alternate Materials and Methods of Construction: The provisions of these standards are not intended to prevent the use of other materials or methods of construction not specifically prescribed by these standards, provided any alternate has been approved and its use authorized by the City. The City may require sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. All alternate materials or methods of construction must meet or exceed the requirements of this ordinance or the applicable codes adopted by the City of Sturgis and the State of South Dakota.
6. Modifications: When there are practical difficulties involved in carrying out the provisions of these standards, the City may grant modifications for individual cases upon receipt of a written request and after a proper review has been completed.
7. Tests: Whenever there is insufficient evidence of compliance with any provision of these standards or any evidence that material or construction does not conform to the requirements of these standards or to industry standards the City may require tests as proof of compliance to be made at no expense to this jurisdiction. All tests shall be made by an approved agency and all reports shall become property of the jurisdiction.
8. Required Inspections: Contractors will be required to contact the Engineering and Inspections office to acquire a list of required inspection for each individual project. At any time the contractor fails to call for an inspection, the job may be stopped until an inspection can be made.
9. Notice of Inspection: There must be a minimum of 24 hour notice given prior to any inspection required by these standards or any City Department. For any inspections which are requested outside the normal operating hours of the City offices there shall be a minimum hourly fee charged, as defined in Title 2 of the City Ordinances. A minimum of one (1) hour will be charged during these inspections and a two (2) hour minimum will be charged on holidays.
10. Validity: Should any section paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of these standards shall not be affected thereby.

Article II - TRENCHING, BACKFILL & SURFACE RESTORATION

A. Time of Open Trenches

The Contractor will be required to conduct and schedule his work in a manner which will require the trenches to remain open the minimum possible time. No trench excavation will be allowed to commence until all equipment and materials reasonably necessary for the completion of the work are on the job site and ready for use. When underground utilities are being placed in existing traveled public right-of-ways, all backfill and compaction shall be completed and all trenching and structural excavation within a maximum distance of 500 feet from the end of the most recently installed piece of piping and the maximum distance between the end of the most recently laid piping and the end of the excavation shall not exceed 200 feet. The maximum distance between the end of the most recently laid piping and the surface restoration to at least a gravel surface shall be 1,500 feet. The above stated backfill requirements do not apply to new developments which have not been opened to the public or work outside of an existing public right-of-way. Certain conditions such as holidays, social or economic functions within the City may necessitate the closing of certain sections of trench prior to the normal daily, weekend or holiday shutdown.

B. Surface Stripping

1. Topsoil: When crossing existing or prospective cultivated areas such as lawns, gardens, fields, etc., the Contractor shall strip the topsoil to the depth of the topsoil or 12", which ever is greater, and stockpile it for reuse upon completion of the trenching operation. All unacceptable material will be removed and disposed of as order by the Engineer at an approved site.

2. Roadway Surfacing: Asphalt or Concrete Paved surfacing shall be removed to the full depth of the surfacing. The pavement shall be cut with an Engineer approved saw and method in a straight smooth line at a width 2 feet wider than the proposed trench, 1' each side of the trench centerline. The surfacing shall be removed from the job site and disposed of at a City approved location.

C. Trenching

The Contractor will be held responsible for obtaining ALL permits and approvals required for the proposed work. Digging Permits are required for all trenching and excavation within a City right-of-way. Digging Permits must be obtained from the Engineering & Inspections Department.

The Contractor will be held solely responsible for the location of any and all buried utilities that may be present, the protection of any utilities found and the proper backfill and bedding of any utilities, as per the Utility Owners specifications, during the trench backfilling operation.

The Contractor shall take precautions and protect all adjoining private and public property and facilities, including underground and overhead utilities, curb, gutter,

sidewalks, driveways, structures, fences and any other improvements. Any disturbed or damaged facilities will be suitably restored or replaced at no cost to the Owner. The crossing of utility lines under sidewalks or curbs may be made by tunneling only if approved by the Engineer. If the Contractor elects to remove a portion of the sidewalk or curb, he must use a concrete saw to make a neat smooth joint corresponding to an existing joint, compact the backfill as specified and pour a new concrete sidewalk or curb section which will require the City's approval before acceptance is granted.

The Contractor shall excavate as necessary at the locations shown on the plans, staked in the field or as otherwise specified for the installation of the piping. During trenching and excavation activities, spoil piles shall be effectively stored and retained at least 2 feet from the excavation. Excavated materials shall be piled on one side of the trench only to allow for access to fire hydrants, manholes, other appurtenances and for emergency vehicle access. All excavated material not required or suitable for backfill use shall be removed from the site and disposed of as directed by the City at the Contractor's expense.

Grading shall be done and maintained as may be necessary to prevent surface water from flowing into excavations and any other water accumulating therein shall be promptly removed. Under no circumstances shall water be permitted to rise in un-backfilled trenches until after the pipe has been placed, tested and covered with backfill. Any pipe having its alignment or grade changed as a result of flooding shall be reinstalled. Surface drainage from adjoining land shall be unobstructed. The Contractor will be responsible to insure no undue flooding of adjacent properties occurs due to his work.

Trenches shall be excavated to a depth of six inches (6") below the bottom of the piping. Trench sidewalls below the top of the piping shall be vertical. The piping shall be bedded with approved bedding material. The bottom of the trenches shall be accurately graded to the lines and grades shown on the City approved plans. Bedding material shall provide uniform bearing and support for each section of the pipe at every point along the entire length of each section of pipe. Bell holes and depressions for joints shall be dug after the trench bedding has been graded and shall be only of such length, depth and width as required for proper installation of the pipe joints.

When soft, unsuitable or unstable soil or rock is encountered at the bottom of the trench which will not uniformly support the pipe, such material shall be excavated to an additional depth and backfilled as directed by the City. There will be no differentiation between common and rock excavation, except when listed as separate item on the bid proposal or bid forms. Excavation shall include the removal and subsequent handling of all earth, gravel, rock or other material encountered regardless of the type, character or composition of the material.

Blasting for excavation will be permitted only upon special written by from the City. All blasting shall be done in strict accordance with all Federal, State and Local Rules and Regulations. The hours for blasting will be set and approved thru the City. The Contractor shall use utmost care to protect life and property. All explosives shall be safely and securely stored in compliance with applicable laws and ordinances and all such storage places shall be clearly marked "Dangerous Explosives". When blasting rock in trenches, the Contractor shall cover the area to be shot with earth backfill or approved blasting mats that will prevent the scattering of rock fragments outside the excavation. Prior to blasting, the Contractor shall station personnel and provide signals of danger in suitable places to warn people and stop vehicles. The Contractor will be responsible for all damage to property and injury to persons resulting from blasting or accidental explosions that may occur in connection with his use of explosives. The Contractor shall furnish the following information to the Owner and Engineer prior to commencing blasting operations:

- a. Name of his powder person, powder person's experience, type of shot to be used, type of explosives and detonator being used, proof of insurance covering liability for such operation, traffic control plans and planned procedures for protecting the public.

D. Equipment

All equipment used for trenching within City right-of-ways shall be in good working order and shall be of suitable size and condition to perform the required operations. Any equipment with tracks which will be used on pavement shall be equipped with suitable pads to prevent damage to the pavement. All pavement damaged during construction by the Contractor's equipment which was not necessary for the trenching operation shall be restored to its original condition by the Contractor at no cost to the City. The use of trench digging machinery will be permitted except in places where its operation will cause damage to existing structures or features, in which case hand methods shall be employed.

E. Dewatering

Where ground water is encountered, it shall be removed to avoid interfering with pipe laying and other construction operations. The cost of dewatering operations will not be paid for a separate item, but shall be merged with and considered a part of the excavation cost unless otherwise specified.

F. Shoring, Sheeting and Bracing

The Contractor shall do all shoring, sheeting and bracing required to prevent caving and to protect his workmen in accordance with the Occupational Safety and Health Act requirements and to protect adjacent property and structures.

G. Excavation for Appurtenances

Excavation for manholes, hydrants, structures, inlets and other appurtenances shall be of sufficient depth and width to leave adequate clearance for installation

of the appurtenance and proper compaction and backfill efforts on all sides. The depth of excavation, provisions for water removal and other applicable portions of these specifications shall apply to excavation of appurtenances.

H. Trench Dimensions

1. Width: Trench width for the trench bottom to a point one (1) foot above the top of the pipe shall be not less than the outside diameter of the pipe plus eight (8) inches, but not more than twenty-four (24) inches plus the pipe O.D. The width of that portion of the trench from the existing ground surface to the point one (1) foot above the top of the pipe, shall be adequate in width to allow for proper compactive effort along both sides of the pipe and in accordance with OSHA requirements.

2. Depth of Trench: Trench depth shall be as required for the invert grade or pipe bury shown on the plans. Care shall be taken not to excavate below the required depth. When soft or unstable material or rock is encountered at the subgrade which will not uniformly support the pipe, such material shall be excavated to an additional depth as directed by the City and backfilled with approved bedding material.

I. Backfill and Compaction

All trenches shall be backfilled immediately after grade, alignment and jointing of the pipe has been completed. Leakage tests, pressure tests or tests for alignment and grade shall be performed after backfill. If any test fails, the Contractor shall be responsible for work required to correct the defects at no additional cost to the Owner.

1. Pipe Bedding and Backfill: **Type 1 Bedding Material** around and to six (6) inches over the pipe shall consist of select earth, sand or fine gravel, free from clods, lumps of frozen material, or stones larger than one (1) inch in their maximum dimension. Where wet or otherwise unstable conditions exist, the material in this zone shall be free draining, non-plastic material. Where suitable material is available in the material excavated from the trench, the Contractor may procure the select material by screening, sifting or manually sorting the material removed from the trench.

Type 2 Bedding, required for foundation in over-excavated trenches, shall consist of the bedding material under the pipe and the bedding material around and over the pipe to a point six (6) inches above the top of the pipe. The bedding material shall consist of sand, sandy gravel or fine gravel having a maximum size of 3/4 inches, uniformly graded and having a maximum plasticity of six (6) as determined by AASHTO Methods T-89 and T-90.

Bedding material under and around the pipe to six (6) inches above the top of the pipe shall be disturbed by hand in maximum layers of six (6) inches and thoroughly compacted by tamping. Special care shall be taken to assure complete

compaction under the haunches of the pipe. Backfill material shall be placed in the trench for its full width on each side simultaneously.

Compaction of pipe bedding shall be in accordance with the pipe manufacturer's recommendations. Water settling of this portion of the trench will not be allowed and the addition of water shall be limited to that required for optimum moisture for maximum compaction of the material.

2. Trench Backfill: After the select pipe bedding material has been placed and compacted as specified above, the remainder of the trench backfilling shall be done. All backfill material shall be free from cinders, ashes, refuse, organic and frozen material, boulders, or other materials that are unsuitable. From one (1) foot above the top of the pipe to six (6) inches below the ground surface, or to the subgrade elevation for streets or paved surfaces, material containing stones up to four (4) inches in the greatest dimension may be used. Trench backfill from the top of the pipe bedding material to ground surface or to the subgrade of street surfacing is separated into two classifications. Type A trench backfill refers to compacted backfill in streets or paved areas and alleys, while Type B backfill is designated for fields, borrow pits, unimproved streets or other unsurfaced areas where special compaction of the trench backfill is not required. Locations of the types of backfill required shall be as shown on the plans or as designated in the Special Provisions.

3. Type A Trench Backfill: Materials used for backfill shall be carefully deposited in layers suitable to the equipment used for compaction, wetted to optimum moisture content, and compacted to 95% of maximum density a optimum moisture as determined in accordance with ASTM-698. Compaction by flooding will be permitted only upon approval of the Engineer. Wherever the trenches have not been properly filled, or if settlement occurs, they shall be re-opened to the depth required for proper compaction and refilled and recompactd. The Contractor shall provide compaction tests for each layer of backfill (not to be less than one (1) per 300 foot intervals). Should a test fail, the deficiencies shall be corrected by the Contractor at his expense. For graveled streets the backfill shall be completed by blading the stripped gravel back over the trench and compacting the gravel in place with City approved equipment and methods.

4. Type B Trench Backfill: Material used for Type B Trench Backfill shall not require special compaction. However, the material shall be placed in layers to achieve a density approximately equal to the density of the existing soil. The Contractor will be required to mound excess earth over the top of the trench so that a depression will not be formed after the trench settles. In cultivated areas, the stripped topsoil shall be placed uniformly over the backfilled trench. The topsoil shall not be compacted but shall be graded to provide a smooth surface conforming to the adjoining ground surfaces.

5. Backfilling for Appurtenances: Backfill around appurtenance shall be deposited in such a manner as not to disturb the appurtenance from its proper alignment, and compacted to the finished grade. Backfill material, compaction and backfill procedures shall conform to the requirements of the related Type A or Type B backfill as specified for trenches.

6. Backfill Above Original Ground For Minimum Cover Requirements: Where shown on the plans, the Contractor shall provide embankment over the pipe above the original ground surface to a height which will satisfy the minimum depth of cover requirements. Such embankment shall be constructed to the cross-section shown on the plans. No additional compensation will be paid for embankment unless shown as a specific item on the proposal.

7. Special Conditions Fill Materials: In special conditions such as backfill under sidewalk or curb and gutter that was not removed or when a road or street closure must be limited to a very short period of time, alternate backfill materials and methods will be considered by the City. When lines have been tunneled under sidewalks, curb and gutter or any other existing improvements the use of a slurry sand or flowable fill will be strongly recommended. Where a limited street closure time exists, the use of an open graded washed rock will be recommended.

8. Testing: Field density tests of the compacted fill will be run at all levels. These tests will be performed by an independent testing laboratory at the Contractor's expense to insure that the specified density is being obtained.

J. Trench Guarantee

The Contractor shall, for a period of two (2) years after completion and final acceptance of the work, repair any trench settlement which may occur and shall make suitable repairs to any pavement, sidewalks or other structures which may become damaged as a result of backfill settlement. If the Contractor elects to perform such repairs by subcontract with the Owner or with others, he shall furnish the Owner and the City a copy of such subcontract or authorization as evidence of his faithful intention to perform the work.

K. Contractor's Safety Responsibilities

The Contractor shall be responsible for enforcing safety and maintaining safe working conditions in all trenching, shoring, and blasting operations to conform to OSHA regulations. The Contractor shall employ qualified, properly trained personnel to design shoring, perform safety inspections of the trenches, and supervise the handling of explosives and other operations involving safety procedures, as prescribed by OSHA.

L. Traffic Control and Warning Devices

The Contractor shall perform the work in such a manner as to minimize the interruption of the use of roads, highways or streets involved and shall provide for emergency routes and fire hydrant access at all times. The Contractor is

responsible for providing adequate barricades of high visibility design, flares, lanterns, signs, flaggers and pre-warning devices to alert the public, motorists and pedestrians of hazardous conditions in accordance with the latest edition of the **Manual of Uniform Traffic Control Devices**. The City may require the Contractor to provide a Traffic Control Plan prior to beginning any excavation work.

M. Protection of Existing Properties

Prior to beginning construction, the Contractor must notify all public utilities of the intent to excavate and the location of said work. Existing utilities which will intersect with the new pipelines or structures will be relocated by the Owner or by the Contractor when the relocation is authorized in writing. In the event the Contractor is authorized to relocate the utilities, payment will be made in accordance with the General Conditions. Existing utility mains and services shall be protected at all times during construction operations.

N. Privately Owned Utilities

Gas mains, underground electrical and telephone cables, telephone poles, light poles, and any other privately owned utilities required to be moved to make way for new construction will be moved by the utility owner unless specific arrangements are made otherwise.

O. Exploratory Excavation

Location of buried utilities that might interfere with alignment or grade shall be verified by exploratory excavation prior to construction. If any existing utility interferes with the work in either alignment or grade and has to be moved, such work shall be coordinated with the utility owner and payment will be made at a price agreed upon before the work is started.

P. Maintenance of Flows

Adequate provisions shall be made for maintaining the flow of sewers, drains and water courses encountered during construction. Culverts, ditches, fences, crosswalks and structures which are disturbed by this construction shall be satisfactorily restored to their original condition upon completion of the work.

Q. Structures

The Contractor shall exercise every precaution to prevent damage to existing buildings or structures in the vicinity of his work. In the event of such damages, he shall repair them to the satisfaction of the Owner of the damaged structure and at no cost to the Owner.

R. Overhead Utilities

The Contractor shall use extreme caution to avoid a conflict, contact or damage to overhead utilities, such as power lines, street lights, telephone lines, television lines, poles or other appurtenances during the course of construction of this project.

S. Pavement Removal

Where trench excavation or structure excavation requires the removal of curb and gutter, concrete sidewalks, or asphalt or concrete pavement, the pavement or concrete shall be cut in a straight line parallel to the edge of the excavation by use of a concrete saw or similar approved equipment to obtain a straight, square clean break. Pavement cuts shall be two (2) feet wider than the actual trench opening and centered over the trench.

T. Survey Markers and Monuments

The Contractor shall use every care and precaution to protect and not disturb any survey marker or monuments, such as those that might be located at lot or block corners, property pins, intersections of street monuments or addition line demarcation. Such protection shall include marking with flagged high lath and close supervision. No monuments shall be disturbed without prior approval of the Owner and Engineer. Any survey marker or monument that is disturbed or destroyed by the Contractor without approval during construction shall be replaced at no cost to the Owner by a Licensed Land Surveyor.

U. Surface Restoration

1. Temporary Resurfacing: Unless permanent pavement is placed immediately, temporary bituminous resurfacing two (2) inches thick shall be placed and maintained at locations determined by the City wherever excavation is made through pavement, sidewalk or driveways. In sidewalk areas the temporary bituminous resurfacing shall be at least one (1) inch thick. In all other areas it shall be at least two (2) inches thick. At major intersections and other critical locations, a greater thickness may be ordered. Temporary resurfacing shall be placed as soon as the condition of the backfill is suitable to receive it, and shall remain in place until the condition of the backfill is suitable for permanent resurfacing. The bituminous mixture used for temporary trench resurfacing may be furnished from stockpiles or directly from the plant mixer and may be laid cold, at the option of the Contractor. The temporary resurfacing shall be placed, rolled, maintained, and removed and disposed of by the Contractor.

2. Permanent Resurfacing: Unless otherwise specified on the plans or in the Special Provisions, all surface improvements damaged or removed as a result of the Contractor's operations shall be reconstructed by the Contractor to the same dimensions, except for pavement thickness, and with the same type materials used in the original work. Trench resurfacing shall be one (1) inch greater in thickness than existing pavement. Surfaces for trenches in gravel streets or alleys shall be restored to their original shape and the surfacing material shall be of equal quality and equal thickness to that of the original surface. Gravel surfacing material shall be approved by the City. Care shall be taken to not contaminate existing gravel surfaces outside the trench area. Subgrade for trench resurfacing shall be restored as existing prior to the excavation and shall be placed in a manner that will permit the restoration of the surface to a condition equivalent to that in which it was prior to excavation.

V. Cleanup

As work progresses, that portion of the work completed shall be cleared of debris and brought to the finished grade. Upon completion of the work, the entire site shall be cleared of all debris and ground surfaces shall be finished to smooth, uniform slopes and shall present a neat and workmanlike appearance. All rocks brought to the ground surface by excavation or backfilling operations shall be removed.

W. Stormwater Runoff Plan (SWRP)

A. Stormwater Runoff Plan must be prepared by the Contractor or his authorized representative, for all work performed within the Public Right-of-Way. The plan shall, with sufficient detail, provide the means and methods the Contractor will use to control stormwater runoff that may enter and leave his work site. The plan shall show how sediment runoff will be controlled and restoration methods to be used until the new surfacing has been installed or until re-vegetation of the work site has been accomplished.

Article III - WATER DISTRIBUTION

A. Description

1. General: All Water Mains and Service lines shall be constructed and regulated as per the standards set forth in this manual and the **Rules and Regulations Governing the Connection To and Use of the Sturgis Water System**. If discrepancies arise between the standards set forth in this manual and the **Rules and Regulations Governing the Connection To and Use of the Sturgis Water System** the more stringent shall apply. A copy of the **Rules and Regulations Governing the Connection To and Use of the Sturgis Water System** are included herein as Appendix "A".

2. Water Mains: Water Mains shall be water piping six inches (6") in diameter or larger placed for the purpose of distributing domestic water throughout the City of Sturgis constructed in accordance with the standards set forth in this manual. All City Water Mains shall be constructed within a public right-of-way or a dedicated public Utility Easement and right-of-way which grants the Sturgis Water Department access to the piping. All City Water Mains shall be constructed of Sturgis Water Department approved materials as specified herein.

3. Water Service Lines: Water Service Lines shall be water piping no small than 1" diameter up to 4" diameter placed to transmit water from the Water Mains to the individual residences or structures. Oversized service lines may be installed to allow for multiple service connections upon special approval from the Municipal Utility Board.

B. Materials

1. Water Main Pipe:

a. Ductile Iron Water Main piping shall be Class 52 ductile iron conforming to ANSI/AWWA C150/21.50-81. The pipe shall be bituminous coal tar coated and cement mortar lined. All pipe shall have rubber gasket bell and spigot joints as per ANSI/AWWA C111/A21.11-80 or flanged joints as per ANSI/AWWA C115/A21.15-83. All pipe shall be clearly marked as per type, class and/or thickness as applicable.

b. PVC Water Main piping shall be AWWA C-900 PVC pipe pressure rated at 150 psi. The City reserves the right to require a higher pressure rated pipe when conditions, in the City's opinion, require it. All PVC pipe shall have rubber gasket bell and spigot joints and shall conform to all ductile iron outside pipe dimensions.

2. Water Main Fittings: All Water Main fittings shall be Class 52 ductile iron conforming to ANSI/AWWA 150/A21.50-81 with rubber gasket joints and shall conform to ANSI/AWWA C110/A21.10-82.

3. Water Service Lines: All Water Service lines shall be Type "K" Soft Copper conforming to ASTM B-88.

4. Water Service Fittings: All water service fittings shall conform to AWWA C-800-84 and the following:

a. Corporation Stops: Corporation Stops shall be brass with AWWA Standard inlet threads, compression outlet and sized as shown on the plans.

b. Curb Stops: Curb Stops shall be brass inverted key or ball valve stops with compression inlet and outlets and Minneapolis pattern top. Curb Stops up to and including one inch (1") shall be Mueller H15150 or approved equal. Curb Stops larger than one inch (1") shall be Mueller Oriseal Valves or approved equal.

c. Curb Boxes: Shall be Minneapolis pattern threaded base boxes adjustable to 6 1/2'.

5. Gate Valves: Gate valves shall conform to AWWA 500 iron body, bronzed mounted valves with double-discs, non-rising stems and O-ring seats. Valve shall be mechanical joint or flanged as shown on the plans. Gate valves shall be Mueller Resilient Seal valves or approved equal.

6. Valve Boxes: Valve boxes shall be two-piece, adjustable length valve boxes of gray cast iron with 5-1/4" shaft, round or oval base sized to fit the valve and screw top section sized for depth of cover and tapered stay put cover shall be marked **WATER**.

7. Fire Hydrants With Auxiliary Valves and Boxes: Fire hydrants shall be 7-foot bury; with five and one-quarter (5-1/4") main valve, two 2-1/2" and one pumper nozzles all with National Standard threads. Hydrants shall conform to AWWA Standard C502. Hydrant barrel shall be red in color. Main valve shall open by counter-clockwise rotation of the one and one-half inch (1 1/2") pentagon operating nut. Each hydrant shall be equipped with an auxiliary gate valve and valve box which meets the requirements of 5. and 6. above.

8. Thrust Blocks: Thrust blocks shall be constructed as shown on the drawings. These thrust blocks shall have a thickness equal to at least one half (1/2) the diameter of the pipe being laid, but not less than six inches (6"). The concrete used for thrust blocks shall have a minimum compressive strength of 4000 psi at 28 days. Concrete shall not be placed over the pipe or fittings. Where a thrust block is placed around a mechanical joint, polyethylene shall be used to protect the bolts from the concrete.

9. Tracer Wire: Tracer wire shall be a single strand of #14 insulated copper wire.

C. Construction Methods

1. Trenching, Backfill and Surface Restoration: All Trenching, Backfill and Surface Restoration shall be in accordance with Article II, Trenching, Backfill and Surface Restoration of this manual.

2. Placement of Pipe: Pipe shall be laid in such a manner as to prevent abrupt changes in direction that would put undue stress on the pipe. The inside of each pipe shall be thoroughly cleaned before the next pipe is jointed to it. Pipe shall be jointed as recommended by the pipe manufacturer. Fittings and bends shall be securely blocked as directed by the Engineer or his designee. Pipe end shall be plugged when pipe laying is not in progress. All pipe and other material shall be transported to the trench site and distributed in such a manner as to be convenient for laying, and placed in such a manner as to afford as little inconvenience to the public as possible. All pipe and special castings shall be cleaned thoroughly and lowered into the trench by derrick, or rolled in with a rope. Pipe shall not be dropped into the trench. Before lowering, and preferably while suspended, the pipe shall be inspected to detect cracks and flaws. Pipes shall be thoroughly flushed at the completion of the work. The excavation of trenches shall be fully completed a sufficient distance in advance of laying the pipe, and the exposed end of all pipes shall be fully protected with an approved stopper to prevent earth or other substances from entering the pipe. The Tracer Wire shall be laid parallel to and directly above the pipe following the alignment of the pipe. Each end of the wire shall be brought to the surface along the outside edge of the gate valve boxes and shall extend one foot above the surface.

3. Concrete Thrust Blocks: All tees, bends and elbows greater than 11-1/4°, plugs and reducers on the new water line shall be provided with reaction blocking, tie rods or joints designed to prevent movement. Reaction blocking may be concrete thrust blocks with a thickness equal to at least one-half the diameter of the pipe being laid but shall not be less than 6" thick under any circumstance. They shall be made with 4000 psi concrete and shall extend from the pipe to the solid wall of the excavation. They shall be constructed as shown on the details and as specified in Tables I and II. Tie rods or special joints shall be as shown on the detailed plans.

TABLE I
Thrust at Fittings in Pounds at 150 Pounds per Square Inch of Water Pressure

Pipe Size	Tees <u>Dead Ends</u>	90 Degree <u>Bend</u>	45 Degree <u>Bend</u>	22-1/2 Degree <u>Bend</u>
6"	6150	8700	4710	2400
8"	10470	14805	8010	4080
10"	16950	23850	12930	6600

The safe bearing loads given in the following table are for horizontal thrusts when the depth of cover over the pipe exceeds two feet.

TABLE II
Safe Bearing Load
Lb. per Sq. Foot

Soil	Lb. per Sq. Foot
*Muck, Peat, etc.	0
Soft Clay.	500
Sand	1000
Sand and Gravel.	1500
Sand and Gravel (cemented)	2000
Shale.	5000

*In muck or peat, all thrusts are resisted by piles or tie rods to solid foundations or by removal of muck or peat and replacement with ballast of sufficient stability to resist thrusts.

4. Valves and Valve Boxes: Valve and valve boxes shall be installed where shown by the drawings or as directed by the Engineer. Each valve shall be furnished with a valve box. Valve shall be set plumb on a concrete support as shown on the drawings. Valve boxes shall be centered on the valves. Backfill shall be carefully tamped around each valve box to a distance of four (4) feet on all sides or to the undisturbed trench face.

5. Fire Hydrants With Auxiliary Valves and Boxes: Fire hydrants shall be installed where shown by the drawings or where directed by the Engineer. Each hydrant shall be connected to the main with a six (6) inch line having as much cover as the main. Hydrants shall be set plumb and supported with a concrete thrust block as shown by the drawings. Each hydrant shall be equipped with an auxiliary valve and valve box. The auxiliary valve shall be connected to the hydrant inlet with a flanged joint. Granular drainage material shall be placed as shown by the drawings.

6. Curb Stops and Boxes: Curb stops and boxes shall be placed on a minimum 12" x 12" x 1" concrete block or pad.

7. Pipe Bedding: Bedding material shall be as specified in Article II, Trenching, Backfill and Surface Restoration of this manual.

8. Backfilling Trenches: The water line must not be disturbed during the backfilling operation. Material used in covering the pipe shall be scattered along the side of the pipe and not dropped in a mass from a shovel. Backfilling around the pipe and of the trenches shall be as specified in Article II, Trenching, Backfill and Surface Restoration of this manual. Backfill shall not be completed in the trenches until the lines have been tested and shall be compacted as specified. Backfilling of the trenches prior to testing and approval by the City shall be at the Contractor's own risk.

9. Disinfection of Water Lines: Before being put into service, each unit of completed water main and water service line shall be disinfected. After pressure tests have been made, the unit to be disinfected shall be thoroughly flushed with water until all entrained dirt and mud have been removed before introducing the chlorinating material. The method of disinfection and disposal of the flushing water shall be submitted by the Contractor for the City's approval prior to flushing. Disinfection of water mains shall be in compliance with AWWA C651-92 or more recent AWWA Specifications for disinfection of water mains. The chlorinating material shall be either liquid chlorine, conforming to AWWA Specification B301; calcium hypochlorite, or sodium hypochlorite conforming to AWWA Specification B300. The chlorinating material shall provide a dosage of not less than 50 parts per million and shall be introduced into the water lines in an approved manner. In no case will the agent be introduced into the line in a dry solid state. Because chlorine disinfectants will lose strength on exposure to the atmosphere, it is essential that only fresh disinfectants are used, that preferably one of the more stable forms be employed and that the main be filled, allowed to stand and then flushed not later than one week after placing the disinfectant.

During the application of the chlorine, valves shall be manipulated to prevent the treatment dosage from flowing back into the line supplying the water. Chlorine application shall not cease until the entire main is filled with the chlorine solution and the chlorine concentration in the water is maintained at a minimum of fifty (50) ppm available chlorine. The chlorinated water shall remain in the main for at least twenty (24) hours, during which time all valves and hydrants in the section treated shall be operated in order to disinfect the appurtenance. At the end of the twenty-four hour period the treated water shall contain no less than twenty-five (25) ppm chlorine throughout the length of the main. The line shall be flushed with clean water until the residual chlorine is reduced to less than 0.2 part per million. During the flushing period, each fire hydrant on the line shall be opened and closed several times. The highly chlorinated water used for the disinfection can not be directly discharged into a stream, river or other waterway where aquatic life may be put in danger. After the disinfection period, the Contractor shall take samples at various locations (as selected by the Engineer) in the water main extension for bacterial analysis which shall be paid for by the Contractor. The Bacterial Analysis shall be performed by an approved Testing Laboratory with a copy of the test results being sent directly to the Engineer from the Testing Laboratory. The water line cannot be placed into service until declared "safe" by the testing laboratory.

10. Testing: The Contractor shall provide all necessary test equipment and shall perform all work required in connection with hydrostatic tests. The Engineer or his Representative shall approve the test equipment and the method employed and be present during said testing. The tests are to be performed after all thrust blocks are in place and sufficient backfill is in place to insure the pipe does not move. One hundred fifty psi pressure (150 psi), as measured at the point of lowest elevation, shall be applied for not less than four hours; and pipe, fittings, valves

and joints shall be carefully examined for defects. No pipe installation will be accepted unless and until the leakage is less than that calculated by the following formula:

$$L = \frac{SD(P)}{7,400} \times \frac{1}{2}$$

L = Allowable leakage in gallons/hour
S = Length of Pipe
D = Nominal diameter of pipe in inches
P = Average test pressure in psi

(The above test is based on an allowable leakage of 11.65 gpd/mile/inch diameter at 150 psi test pressure.)

The cost of testing the pipe shall be included within the installation cost of the piping.

11. Clean-Up of the Work Site: Upon completion of the construction, all construction materials, equipment, etc., shall be removed from the area, the entire area graded to drain, and dressed to a neat workmanlike appearance acceptable to the City.

12. Surface Restoration: The Contractor shall furnish all materials, tools, equipment, transportation and supervision required to complete the restoration of all areas disturbed by the trenching and pipeline construction in accordance with Article II, Trenching, Backfill and Surface Restoration of this manual.

Article IV – SANITARY SEWER

A. Description

1. General: No new Sanitary Sewer Mains may be installed until plans and specifications, approved by the South Dakota Department of Environment and Natural Resources, have been submitted, reviewed and approved by the City.
2. Sanitary Sewer Mains: Sanitary Sewer Mains shall be defined as sewer piping larger than 4” diameter with water tight joints which have more than one residence or structure connected to it, constructed in accordance with the standards set forth in this manual and approved and accepted by the City of Sturgis. All City maintained Sanitary Sewer Mains shall be constructed within a public right-of-way or within a Utility Easement and right-of-way which grants the City access to the mains for maintenance and repairs.
3. Sanitary Sewer Service Lines: Sanitary Sewer Service Lines shall be defined as 4” or larger sewer piping which connects a single residence or structure to a City maintained sewer main. Maintenance and repair of sewer service lines shall be the responsibility of the individual landowner. All sewer service lines shall be constructed in accordance with the standards set forth in this manual and the national Plumbing Code and shall be approved and accepted by the City of Sturgis where they are placed within a City right-of-way or an approved utility easement. No more than one residence may be connected to a single 4” sewer service line. Multi-family units will be required to install a minimum 6” sewer service line. Service lines shall be laid with a single strand of #14 insulated copper tracer wire. The wire shall run from the main to the top of the cleanout on the outside of the house. The wire shall also be clamped at or near the top of the cleanout so it is easy to locate.

B. Materials

1. Sewer Pipe: Sewer pipe shall be PVC Bell and Spigot pipe produced by a continuous extrusion process, employing a prime grade of unplasticized polyvinyl chloride. The grade shall be highly resistant to hydrogen sulfide, sulfuric acid, gasoline, oil, detergents and other chemicals commonly found in sewage and industrial waste. The materials shall conform to the requirements of the specification for “Rigid Polyvinyl Chloride Compounds”, ASTM D – 1784. The pipe shall have self-extinguishing flammability characteristics. Pipe and fittings shall conform to ASTM D – 3034, “Standard Specifications for Polyvinyl Chloride Sewer Pipe and Fittings” or ASTM F – 679 for sizes over 15 inches. PVC pipe shall have a minimum standard dimension ratio of 35 (SDR 35). Each length of pipe shall be provided with a bell design so that a water tight joint will be obtained when jointing the bell and spigot with a rubber “O” ring gasket. The joint shall be completely sealed by the gasket to insure a watertight assembly under all conditions of service, including movement resulting from expansion, contraction, settlement and deformation of the pipe. The rubber ring joint assembly shall be made in strict conformance with the manufacturer’s

**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
STANDARD TITLE VI ASSURANCE**

JANUARY 15, 2004

TITLE VI – NONDISCRIMINATION:

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “Contractor”) agrees as follows:

- (1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally or State assisted programs of the South Dakota Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended (hereinafter referred to as the “Regulations”), incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, religion, national origin, sex, age or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, religion, national origin, sex, age or disability.
- (4) Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the South Dakota Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the South Dakota Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain this information.
- (5) Sanctions for Noncompliance: In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the South Dakota Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to:
 - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the South Dakota Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, however, that, in the event of a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the South Dakota Department of Transportation to enter into such litigation to protect the interest of the State, and, in addition, the contractor may request the United States to enter such litigation to protect the interests of the United States.

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION FOR
IMPLEMENTATION OF CLEAN AIR ACT
AND
FEDERAL WATER POLLUTION CONTROL ACT**

SEPTEMBER 1, 1997

By signing this bid, the bidder will be deemed to have stipulated as follows:

- a) That any facility to be utilized in the performance of this contract, unless such contract is exempt under the Clean Air Act, as amended (42 U.S.C. 1857 et seq., as amended by Pub. L. 91-604), and under the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq., as amended by Pub. L. 92-500), Executive Order 11738, and regulations in implementation thereof (40 CFR, Part 15), is not listed on the U.S. Environmental Protection Agency (EPA) List of Violating Facilities pursuant to 40 CFR 15.20.
- b) That the State Transportation Department shall be promptly notified prior to contract award of the receipt by the bidder of any communication from the Director, Office of Federal Activities, EPA, indicating that a facility to be utilized for the contract is under consideration to be listed on the EPA List of Violating Facilities.

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