

Updated 10/18/07

STATE PROJECT

BIDDING INSTRUCTIONS

FOR ALL PROJECTS:

1. Use pen and ink to complete all paper Bids.
2. As a minimum, the following must be received prior to the time of Bid opening:

For a Paper Bid:

a) a copy of the Notice to Contractors, b) the completed Acknowledgement of Bid Amendments form, c) the completed Schedule of Items, d) two copies of the completed and signed Contract Offer, Agreement & Award form, e) a Bid Guaranty, and f) any other certifications or Bid requirements listed in the Bid Documents as due by Bid opening.

For an Electronic Bid:

a) a completed Bid using Expedite® software and submitted via the Bid Express™ web-based service, b) a Bid Guaranty (as described below) or a faxed copy of a Bid Bond (with original to be delivered within 72 hours), and c) any other certifications or Bid requirements listed in the Bid Documents as due by Bid opening.

3. Include prices for all required items in the Schedule of Items. (“Zero is not considered a Bid price.”)
4. Include a Bid Guaranty. Acceptable forms are:
 - a. a properly completed and signed Bid Bond on the Department’s prescribed form (or on a form that does not contain any significant variations from the Department’s form as determined by the Department) for 5% of the Bid Amount or
 - b. an Official Bank Check, Cashier’s Check, Certified Check, U.S. Postal Money Order or Negotiable Certificate of Deposit in the amount stated in the Notice to Contractors.
5. If a paper Bid is to be sent, Federal Express overnight delivery is suggested as the package is delivered directly to the DOT Headquarters Building located at 16 Child Street in Augusta. Other means, such as U.S. Postal Service’s Express Mail has proven not to be reliable.

IN ADDITION, FOR FEDERAL AID PROJECTS:

6. Complete the DBE Proposed Utilization form in the proper amounts, and deliver to the Civil Rights Office, or fax to (207)624-3431 by 4:30 PM on bid opening day.

If you need further information regarding Bid preparation, call the DOT Contracts Section at (207)624-3410.

For complete bidding requirements, refer to Section 102 of the Maine Department of Transportation, Standard Specifications, Revision of December 2002.

NOTICE

The Maine Department of Transportation is attempting to improve the way Bid Amendments/Addendums are handled, and allow for an electronic downloading of bid packages from our website, while continuing to maintain a planholders list.

Prospective bidders, subcontractors or suppliers who wish to download a copy of the bid package and receive a courtesy notification of project specific bid amendments, must provide an email address to Diane Barnes or Mike Babb at the MDOT Contracts mailbox at: MDOT.contracts@maine.gov. Each bid package will require a separate request.

Additionally, interested parties will be responsible for reviewing and retrieving the Bid Amendments from our web site, and acknowledging receipt and incorporating those Bid Amendments in their bids using the Acknowledgement of Bid Amendment Form.

The downloading of bid packages from the MDOT website is not the same as providing an electronic bid to the Department. Electronic bids must be submitted via <http://www.BIDX.com>. For information on electronic bidding contact Larry Childs at Larry.Childs@maine.gov.

NOTICE

For security and other reasons, all Bid Packages which are mailed, shall be provided in double (one envelope inside the other) envelopes. The *Inner Envelope* shall have the following information provided on it:

Bid Enclosed - Do Not Open

PIN:

Town:

Date of Bid Opening:

Name of Contractor with mailing address and telephone number:

In Addition to the usual address information, the *Outer Envelope* should have written or typed on it:

Double Envelope: Bid Enclosed

PIN:

Town:

Date of Bid Opening:

Name of Contractor:

This should not be much of a change for those of you who use Federal Express or similar services.

Hand-carried Bids may be in one envelope as before, and should be marked with the following information:

Bid Enclosed: Do Not Open

PIN:

Town:

Name of Contractor:

STATE OF MAINE DEPARTMENT OF TRANSPORTATION
Bid Guaranty-Bid Bond Form

KNOW ALL MEN BY THESE PRESENTS THAT _____

_____, of the City/Town of _____ and State of _____

as Principal, and _____ as Surety, a

Corporation duly organized under the laws of the State of _____ and having a usual place of

Business in _____ and hereby held and firmly bound unto the Treasurer of

the State of Maine in the sum of _____ for payment which Principal and Surety bind

themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is that the Principal has submitted to the Maine Department of

Transportation, hereafter Department, a certain bid, attached hereto and incorporated as a

part herein, to enter into a written contract for the construction of _____

_____ and if the Department shall accept said bid

and the Principal shall execute and deliver a contract in the form attached hereto (properly

completed in accordance with said bid) and shall furnish bonds for this faithful performance of

said contract, and for the payment of all persons performing labor or furnishing material in

connection therewith, and shall in all other respects perform the agreement created by the

acceptance of said bid, then this obligation shall be null and void; otherwise it shall remain in full

force, and effect.

Signed and sealed this _____ day of _____ 20_____

WITNESS:

WITNESS

PRINCIPAL:

By _____

By: _____

By: _____

SURETY:

By _____

By: _____

Name of Local Agency: _____

NOTICE

Bidders:

Please use the attached “Request for Information” form when faxing questions and comments concerning specific Contracts that have been Advertised for Bid. Include additional numbered pages as required. Questions are to be faxed to the number listed in the Notice to Contractors. This is the only allowable mechanism for answering Project specific questions. Maine DOT will not be bound to any answers to Project specific questions received during the Bidding phase through other processes.

September 14, 2007

Vendor Registration

Prospective Bidders must register as a vendor with the Department of Administrative & Financial Services if the vendor is awarded a contract. Vendors will not be able to receive payment without first being registered. Vendors/Contractors will find information and register through the following link –

<http://www.maine.gov/purchases/vendorinfo/vss.htm> .

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION
NOTICE TO CONTRACTORS**

Scaled Bids addressed to the Maine Department of Transportation, Augusta, Maine 04333 and endorsed on the wrapper "Bids for **REGION 1 Crack Sealing** in the cities of **Auburn, Lewiston, Portland, South Portland, Saco and Westbrook**; and towns of **Bridgton, Brunswick, Falmouth, Fryeburg, Kittery, Lebanon, Mechanic Falls, Oxford, Scarborough and Topsham**"; "**REGION 2 Crack Sealing** in the cities of **Augusta and Waterville** and towns of **Fairfield, Pittston and Winslow**"; "**REGION 3 Crack Sealing** in the towns of **Rangely Plt., Rangely, Norway, Greenwood, Bethel, Mexico, Dixfield and Turner**"; "**REGION 4 Crack Sealing** in the cities of **Brewer, Calais and Eastport** and towns of **Cooper, Whitneyville, Harrington, Edmunds, Sullivan, Aurora, Amherst, Devereaux, Robbinston, Pleasant Point, Perry, Parkman, Charleston, Garland, Dover-Foxcroft, Milo, Orrington and Passadumkeag**"; "**REGION 5** in the towns of **Blaine, Houlton, Lee, Medway, Sherman, Springfield, Topsfield and Kossuth Twp.**" will be received from contractors at the Reception Desk, Maine DOT Building, Child Street, Augusta, Maine, until 11:00 o'clock A.M. (prevailing time) on **March 19, 2008**, and at that time and place publicly opened and read. Bids will be accepted from contractors that can demonstrate previous successful completion of projects of similar size and scope. All other Bids may be rejected. **We now accept electronic bids for those bid packages posted on the bidx.com website. Electronic bids do not have to be accompanied by paper bids. Please note: the Department will accept a facsimile of the bid bond; however, the original bid bond must then be received at the MDOT Contract Section within 72 hours of the bid opening. Until further notice,, dual bids (one paper, one electronic) will be accepted, with the paper copy taking precedence.**

Description: Maine Federal Aid Project No. 01596.01, PIN 15961.01

REGION 1

Location: In **York County**: **Sec 1** is in Kittery on Rte 103, beginning at Williams Ave and extending southerly 0.97 mi to Bridge St. **Sec 2** is in Lebanon on Rte 11/202, beginning at the New Hampshire border and extending northerly 8.36 mi. to the Sanford town line. **Sec 3** is in Saco on I-195, beginning at Rte 1 and extending easterly 0.88 mi. to the Old Orchard Beach town line (both sides). **Sec 4** is in Saco on Rte 5, beginning at I-195 and extending westerly 0.85 mi. to Rte 1. In **Cumberland County**: **Sec 5** is in Scarborough on the Scarborough Connector, beginning at the end of the I-295 off ramp and extending southerly 2.10 mi. to Rte 1. **Sec 6** is in Scarborough on the Scarborough Connector, beginning at Rte 1 and extending northerly 1.96 mi. to the end of the I-295 on ramp. **Sec 7** is in South Portland on Rte 1, beginning at Broadway and extending northerly 1.32 mi. to the Portland town line (both sides). **Sec 8** is in Portland and South Portland on Rte 77, beginning at Spring St. and extending across the bridge 1.39 mi. to Scamman St. (both sides). **Sec 9** is in Westbrook on Rte 25, beginning 0.55 mi. westerly of Saco St. and extending westerly 1.50 mi. to 0.2 mi. west of Mosher Rd. **Sec 10** is in Falmouth on Rte 26, beginning 0.24 mi. northerly of Roberts St. and extending northerly 0.52 mi. to Leighton Rd. **Sec 11** is in Brunswick on the Brunswick Connector, beginning at the I-295 off ramp and extending easterly 0.86 mi. to Rte 1. **Sec 12** is in Brunswick on the Brunswick Connector, beginning at Pleasant St and extending westerly 0.60 mi. In **Sagadahoc County**: **Sec 13** is in Topsham on Rte 196, beginning at the Androscoggin River Bridge and extending northerly 2.31 mi. the Bridge over I-295. **Sec 14** is in Topsham on Rte 196, beginning 0.1 mi. south of Birch Ave. and extending northerly 4.87 mi. to the Lisbon town line. In **Oxford County**: **Sec 15** is in Fryeburg on Rte 302, beginning 1.06 mi. westerly of Monotony Rd and extending westerly 0.72 mi to Rte 5. In **Cumberland County**: **Sec 16** is in Bridgton on Rte 302, beginning at Rte 117 and extending northerly 5.81 mi to 0.5 mi. north of Kendal Ham Drive. In **Androscoggin and Oxford Counties**: **Sec 17** is located in Mechanic Falls and Oxford on Rte 26, beginning 0.1 mi. northerly of Rte 11 and extending westerly 3.28 mi. to 0.3 mi. north of Rabbit Valley Rd. In **Androscoggin County**: **Sec 18** is in Auburn on Union St. beginning at Court St. and extending northerly 0.39 mi. to Turner St. **Sec 19** is in Lewiston on Rte 126, beginning at Bradbury Rd. and extending easterly 0.46 mi. to the Sabattus town line. **Sec 20** is in Lewiston on Rte 196, beginning 0.1 mi. southerly of Read St. and extending westerly 3.30 mi. to Rte 202.

Description: Maine Federal Aid Project No. 01596.02, PIN 15961.02

REGION 2

Location: In **Kennebec County**: **Sections 1-7** are located in Augusta. **Sec 1** is on Old Winthrop Rd, beginning at Meadow Road and extending westerly 0.94 mi to Western Ave. **Sec 2** is on Grove Street/Rte 104, beginning 0.01 mi. west of Crescent St. and extending easterly 0.16 mi. to Gage St. **Sec 3** is on Water St., beginning at Bond St. and extending southerly 0.56 mi. to Gage St. **Sec 4** is on Civic Center Drive, beginning 0.04 mi. north of Darin Dr. and extending northerly 4.28 mi. to 0.61 mi. south of the Sidney/Belgrade town line. **Sec 5** is on Rte 3, beginning at the exit 113 ramps and extending easterly 2.51 mi. to North Belfast Ave. **Sec 6** is on West River Rd, beginning 0.12 mi. north of Birchview Dr. and extending northerly 1.49 mi. to 1.38 mi. south of the Augusta/Sidney town line. **Sec 7** is on South Belfast Ave, beginning at Hicks Rd. and extending easterly 2.81 mi. to 0.07 mi. west of Spring Rd. **Sec 8** is in **Somerset County** in Fairfield on Western Ave, beginning at Rte 201 and extending westerly 9.42 mi. to 0.33 mi. east of Covell Rd. **Sections 9-16 are in Kennebec County; except for Sec 12 which is in Kennebec and Somerset Counties.** **Sec 9** is in Pittston, on Rte 27, beginning at the Dresden-Pittston town line and extending northerly 3.64 mi. to 0.32 mi. south of Arnold Rd. **Sec 10** is in Pittston on Rte 126, beginning 0.09 mi. west of Stoney Acres Rd. and extending easterly 1.61 mi. to 0.55 mi. west of Jewett Rd. **Sections 11,13 & 14** are in Waterville. **Sec 11** is on North St. beginning 0.15 mi. north of Quarry Rd. and extending southerly 1.29 mi. to Main St. **Sec 12** is in Waterville (**Kennebec County**) and Fairfield (**Somerset County**) on Rte 104, beginning at Silver St and extending northerly 3.96 mi. to Center Rd. **Sec 13** is on the West River Rd., beginning 0.19 mi. north of Trafton Rd. and extending northerly 2.9 mi. to Kennedy Memorial Dr. **Sec 14** is on College Ave., beginning on Front Street 0.12 mi. north of Colby St. and extending northerly 3.05 mi. to Western Ave. **Sec 15** is in Winslow on Monument St. beginning at Clinton Ave and extending southerly 0.35 mi. to Halifax St. **Sec 16** is in Winslow on the Augusta Rd. beginning 0.05 mi. north of Rte 137 and extending northerly 1.16 mi to 0.39 mi. south of Clinton Ave.

Description: Maine Federal Aid Project No. 01596.03, PIN 15961.03

REGION 3

Location: In **Franklin County: Sec 1** is located in Rangeley Plt. And Rangeley on Rte 17, beginning 2.54 mi. north of the Township D/Rangeley Plt town line and extending northerly 7.66 mi to Rte 4. In **Oxford County: Sec 2** is located in Norway on Rte 117/118, beginning 0.12 mi. south of Yeager Rd. and extending northerly 2.82 mi. to the Norway/Paris town line. **Sec 3** is located in Greenwood and Bethel on Rte 26, beginning 0.01 mi. north of the Greenwood/Woodstock town line and extending northerly 2.71 mi. to 0.31 mi. south of Chase Rd. **Sec 4** is located in Mexico and Dixfield, beginning at the Mexico/Rumford town line and extending easterly 5.59 mi. to 0.10 mi. east of the Hall Hill Rd. In **Androscoggin County: Sec 5** is in Turner on Rte 4, beginning 0.16 mi. south of County Rd. and extending northerly 1.78 mi. to 0.20 mi. north of Blake Rd. **Sec 6** is in Turner on Rte 4, beginning 0.57 mi. south of the Harlow Hill Rd. and extending northerly 1.97 mi. to

Outline of Work: Crack Sealing and other incidental work.

Description: Maine Federal Aid Project No. 01596.04, PIN 15961.04

REGION 4

Location: In **Washington County: Sec 1** is in Cooper on Rte 191, beginning 0.23 mi. south of East Ridge Rd. and extending northerly 4.57 mi to 0.02 mi south of Green Rd. In **Piscataquis County: Sec 2** is in Parkman on Rte 150, beginning 0.01 mi. south of Wellington Rd. and extending northerly 3.29 mi. **Sec 3** is in Dover-Foxcroft on Rte 6/16., beginning at Lincoln St. and extending easterly 0.94 mi. to 0.14 mi. east of Free St. In **Washington County: Sec 4** is in Edmunds on Rte 1, beginning 2.93 mi. north of Rte 189 and extending northerly 2.18 mi. **Sec 5** is in Harrington on Rte 1A, beginning 0.25 mi. south of Dorman Rd. and extending northerly 3.03 mi. to Rte 1. In **Piscataquis County: Sec 6** is in Milo on Rte 6/11/16, beginning 1.26 mi. west of Lyford Rd. and extending easterly 1.99 mi. to 0.14 mi. east of the easternmost intersection of Dunham Rd. In **Penobscot County: Sec 7** is in Orrington and Brewer on Rte 15, beginning 0.01 mi. south of Harrison Ave and extending northerly 1.47 mi. to 0.06 mi. south of Abbot St. **Sec 8** is in Passadumkeag on Rte 2, beginning 1.45 mi. east of Greenbush/Passadumkeag town line and extending easterly 2.03 mi. In **Hancock County: Sec 9** is in Sullivan, on Rte 1, beginning 0.21 mi. north of Punkinville Rd. and extending northerly 8.02 mi. to 0.06 mi. south of Dyer Rd. In **Washington County: Sec 10** is in Whitneyville on Rte 1, beginning 0.25 mi. south of the Machias/Whitneyville town line and extending northerly 1.05 mi. to 0.33 mi. south of Kennebec Rd. In **Hancock County: Sec 11** is Aurora and Amherst on Rte 9, beginning 0.28 mi. east of the Clifton/Amherst town line and extending easterly 13.18 mi. to 2.27 mi. east of Richardson Rd. In **Washington County: Sec 12** is in Devereaux on Rte 9, beginning 0.64 mi. west of the Devereaux Twp/T30 MD BPP town line and extending easterly 4.1 mi. **Sec 13** is in Pleasant Point, Eastport and Perry on Rte 190, beginning at Rte 1 and extending southerly 5.17 mi. to 0.07 mi. north of Deep Cove Rd. **Sec 14** is in Robbinston and Calais on Rte 1, beginning 2.18 mi. north of Ridge Rd. and extending northerly 10.14 mi. to 1.57 mi. north of Hardscrabble Rd.

Description: Maine Federal Aid Project No. 01596.05, PIN 15961.05

REGION 5

Location: In **Arroostook County: Sec 1** is in Houlton and Blaine on Rte 1 beginning 0.15 mi. northerly of Putman Abve and extending northerly 25.05 mi to 0.13 mi. south of Bubar Rd. **Sec 2** is in Sherman on Rte 158, beginning at Island Falls Rd. and extending westerly 4.42 mi. to Grindstone Rd. In **Penobscot County: Sec 3** is in Lee and Springfield on Rte 6, beginning at Arab Rd. and extending easterly 8.83 mi. to 0.04 mi. westerly of Bottleneck Rd. **Sec 4** is in Medway on Rte 157, beginning 3.04 mi. westerly of the Molunkus Twp town line and extending westerly 2.05 mi. to 0.10 mi. west of the Interstate northbound Exit 244 ramps. **Sec 5** is in Medway on Rte 157, beginning 0.10 mi. southerly of the Interstae 95 southbound Exit 244 Ramps and extending westerly 0.71 mi. to Rte 11. In **Washington County: Sec 6** is in Kossuth Twp and Topsfield on Rte 6, beginning 0.03 mi. easterly of the Carroll Plt/Kossuth Twp town line and extending easterly 9.43 mi. to 2.5 mi easterly of the Kossuth Twp/Topsfield town line.

Outline of Work: Crack Sealing and other incidental work.

This Contract contains schedules of items for crack sealing for Regions 1, 2, 3, 4 and 5. The Contractor may submit bids for any or all of the Regions.

For general information regarding Bidding and Contracting procedures, contact Scott Bickford at (207)624-3410. Our webpage at http://www.maine.gov/mdot/contractor-consultant-information/contractor_cons.php contains a copy of the schedule of items, Plan Holders List, written portions of bid amendments (not drawings), and bid results. For Project-specific information fax all questions to **James Andrews** at (207)624-3431. Questions received after 12:00 noon of Monday prior to bid date will not be answered. Bidders shall not contact any other Departmental staff for clarification of Contract provisions, and the Department will not be responsible for any interpretations so obtained. Hearing impaired persons may call the Telecommunication Device for the Deaf at 888-516-9364.

Specifications and bid forms may be seen at the Maine DOT Building in Augusta, Maine. They may be purchased from the Department between the hours of 8:00 a.m. to 4:30 p.m. by cash, credit card (Visa/Mastercard) or check payable to Treasurer, State of Maine sent to Maine Department of Transportation, Attn.: Mailroom, 16 State House Station, Augusta, Maine 04333-0016. They also may be purchased by telephone at (207) 624-3536 between the hours of 8:00 a.m. to 4:30 p.m. Bid Book \$10 (\$13 by mail), non-refundable.

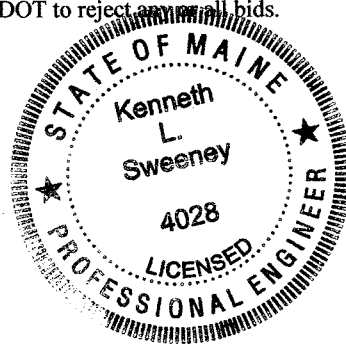
Each Bid must be made upon blank forms provided by the Department and must be accompanied by a bid bond at 5% of the bid amount or an official bank check, cashier's check, certified check, certificate of deposit, or United States postal money order in the amount of \$5,000 payable to Treasurer, State of Maine as a Bid guarantee. A Contract Performance Surety Bond and a Contract Payment Surety Bond, each in the amount of 100 percent of the Contract price, will be required of the successful Bidder.

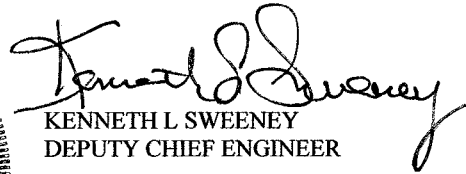
This Contract is subject to all applicable Federal Laws. This contract is subject to compliance with the Disadvantaged Business Enterprise program requirements as set forth by the Maine Department of Transportation.

All work shall be governed by "State of Maine, Department of Transportation, Standard Specifications, Revision of December 2002", price \$10 [\$13 by mail], and Standard Details, Revision of December 2002, price \$20 [\$25 by mail]. Standard Detail updates can be found at http://www.maine.gov/mdot/contractor-consultant-information/contractor_cons.php

The right is hereby reserved to the MDOT to reject any or all bids.

Augusta, Maine
February 27, 2008




KENNETH L SWEENEY
DEPUTY CHIEF ENGINEER

SPECIAL PROVISION 102.7.3
ACKNOWLEDGMENT OF BID AMENDMENTS

With this form, the Bidder acknowledges its responsibility to check for all Amendments to the Bid Package. For each Project under Advertisement, Amendments are located at <http://www.maine.gov/mdot/comprehensive-list-projects/project-information.php> It is the responsibility of the Bidder to determine if there are Amendments to the Project, to download them, to incorporate them into their Bid Package, and to reference the Amendment number and the date on the form below. The Maine DOT will not post Bid Amendments any later than noon the day before Bid opening without individually notifying all the planholders.

Amendment Number	Date

The Contractor, for itself, its successors and assigns, hereby acknowledges that it has received all of the above referenced Amendments to the Bid Package.

CONTRACTOR

_____ Date

_____ Signature of authorized representative

_____ (Name and Title Printed)

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015961.01

PROJECT(S): 15961.01

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS

SECTION 0001 REGION 1 ITEMS

0010	424.3331 ASPHALT LOW MODULUS CRACK SEALER, APPLIED	57150.000 LB				
0020	659.10 MOBILIZATION	LUMP	LUMP			
	SECTION 0001 TOTAL					
	TOTAL BID					

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015961.02

PROJECT(S): 15961.02

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS

SECTION 0001 REGION 2 ITEMS

0010	424.3331 ASPHALT LOW MODULUS CRACK SEALER, APPLIED	79560.000 LB				
0020	659.10 MOBILIZATION	LUMP	LUMP			
	SECTION 0001 TOTAL					
	TOTAL BID					

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015961.03

PROJECT(S): 15961.03

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS

SECTION 0001 REGION 3 ITEMS

0010	424.3331 ASPHALT LOW MODULUS CRACK SEALER, APPLIED	32120.000 LB				
0020	659.10 MOBILIZATION	LUMP	LUMP			
	SECTION 0001 TOTAL					
	TOTAL BID					

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015961.04

PROJECT(S): 15961.04

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS

SECTION 0001 REGION 4 ITEMS

0010	424.3332 LOW MODULUS CRACK SEALER, APPLIED, INCLUDING ROUTING	127200.000 LB				
0020	659.10 MOBILIZATION	LUMP	LUMP			
	SECTION 0001 TOTAL					
	TOTAL BID					

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015961.05

PROJECT(S): 15961.05

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS

SECTION 0001 REGION 5 ITEMS

0010	424.3331 ASPHALT LOW MODULUS CRACK SEALER, APPLIED	100980.000 LB				
0020	659.10 MOBILIZATION	LUMP	LUMP			
	SECTION 0001 TOTAL					
	TOTAL BID					

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, **PIN Nos. 15961.01, 15961.02, 15961.03, 15961.04, 15961.05 for Crack Sealing and other incidental work in Region 1, Region 2, Region 3, Region 4, and Region 5, State of Maine.** The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before:

PIN 15961.01 Region 1 – May 24, 2008

PIN 15961.02 Region 2 – October 4, 2008

PIN 15961.03 Region 3 – September 27, 2008

PIN 15961.04 Region 4 – July 3, 2008

PIN 15961.05 Region 5 – August 23, 2008

Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002 and related Special Provisions.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

Region 1, PIN 15961.01 \$ _____

Region 2, PIN 15961.02 \$ _____

Region 3, PIN 15961.03 \$ _____

Region 4, PIN 15961.04 \$ _____

Region 5, PIN 15961.05 \$ _____

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.

3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **PIN Nos. 15961.01, 15961.02, 15961.03, 15961.04, 15961.05 for Crack Sealing and other incidental work in Region 1, Region 2, Region 3, Region 4, and Region 5, State of Maine.**, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the Standard Specifications

Revision of December 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Fifth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

Date

(Signature of Legally Authorized Representative
of the Contractor)

Witness

(Name and Title Printed)

G. Award.

Your offer is hereby accepted for (see checked boxes):

- Region 1, PIN 15961.01
- Region 2, PIN 15961.02
- Region 3, PIN 15961.03
- Region 4, PIN 15961.04
- Region 5, PIN 15961.05

Contract Amount: _____

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

Date

By: David A. Cole, Commissioner

Witness

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, **PIN Nos. 15961.01, 15961.02, 15961.03, 15961.04, 15961.05 for Crack Sealing and other incidental work in Region 1, Region 2, Region 3, Region 4, and Region 5, State of Maine.** The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before:

PIN 15961.01 Region 1 – May 24, 2008

PIN 15961.02 Region 2 – October 4, 2008

PIN 15961.03 Region 3 – September 27, 2008

PIN 15961.04 Region 4 – July 3, 2008

PIN 15961.05 Region 5 – August 23, 2008

Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002 and related Special Provisions.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

Region 1, PIN 15961.01 \$ _____

Region 2, PIN 15961.02 \$ _____

Region 3, PIN 15961.03 \$ _____

Region 4, PIN 15961.04 \$ _____

Region 5, PIN 15961.05 \$ _____

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.

3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **PIN Nos. 15961.01, 15961.02, 15961.03, 15961.04, 15961.05 for Crack Sealing and other incidental work in Region 1, Region 2, Region 3, Region 4, and Region 5, State of Maine.**, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the Standard Specifications

Revision of December 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Fifth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

Date

(Signature of Legally Authorized Representative
of the Contractor)

Witness

(Name and Title Printed)

G. Award.

Your offer is hereby accepted for (see checked boxes):

- Region 1, PIN 15961.01
- Region 2, PIN 15961.02
- Region 3, PIN 15961.03
- Region 4, PIN 15961.04
- Region 5, PIN 15961.05

Contract Amount: _____

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

Date

By: David A. Cole, Commissioner

Witness

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at 1705 U.S. Route 202, Winthrop, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and (Name of the firm bidding the job) a corporation or other legal entity organized under the laws of the State of Maine, with its principal place of business located at (address of the firm bidding the job)

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, PIN No. 1224.00, for the Hot Mix Asphalt Overlay in the town/city of West Eastport, County of Washington Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before November 15, 2003. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is (Place bid here in alphabetical form such as One Hundred and Two dollars and 10 cents)
\$ (repeat bid here in numerical terms, such as \$102.10) Performance Bond and Payment Bond each being 100% of the amount of this Contract.

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of:

PIN 1234.00 West Eastport, Hot Mix Asphalt Overlay

State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer's "Notice to Commence Work" as stated in Section 107.2 of the Standard Specifications Revision of 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents

CONTRACTOR
(Sign Here)

(Signature of Legally Authorized Representative
of the Contractor)

(Witness Sign Here)

Witness

(Print Name Here)

(Name and Title Printed)

G. Award.

Your offer is hereby accepted.

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

Date

By: David A. Cole, Commissioner

(Witness)

BOND # _____

CONTRACT PERFORMANCE BOND
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That _____
_____ **and the State of** _____, as principal,
and _____,
a corporation duly organized under the laws of the State of _____ and having a
usual place of business _____,
as Surety, are held and firmly bound unto the Treasurer of the State of Maine in the sum
of _____ **and 00/100 Dollars (\$** _____ **)**,
to be paid said Treasurer of the State of Maine or his successors in office, for which
payment well and truly to be made, Principal and Surety bind themselves, their heirs,
executors and administrators, successors and assigns, jointly and severally by these
presents.

The condition of this obligation is such that if the Principal designated as Contractor in
the Contract to construct Project Number _____ in the Municipality of
_____ promptly and faithfully performs the Contract, then this
obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the State
of Maine.

Signed and sealed this _____ day of _____, 20.....

WITNESSES:

SIGNATURES:

CONTRACTOR:

Signature.....

.....

Print Name Legibly

Print Name Legibly

SURETY:

Signature

.....

Print Name Legibly

Print Name Legibly

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

ADDRESS

.....

.....

.....

.....

TELEPHONE.....

.....

BOND # _____

CONTRACT PAYMENT BOND
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That _____
_____ **and the State of** _____, as principal,
and _____
a corporation duly organized under the laws of the State of _____ and having a
usual place of business in _____,
as Surety, are held and firmly bound unto the Treasurer of the State of Maine for the use
and benefit of claimants as herein below defined, in the sum of
_____ **and 00/100 Dollars (\$** _____ **)**
for the payment whereof Principal and Surety bind themselves, their heirs, executors and
administrators, successors and assigns, jointly and severally by these presents.

The condition of this obligation is such that if the Principal designated as Contractor in
the Contract to construct Project Number _____ in the Municipality of
_____ promptly satisfies all claims and demands incurred for all
labor and material, used or required by him in connection with the work contemplated by
said Contract, and fully reimburses the obligee for all outlay and expense which the
obligee may incur in making good any default of said Principal, then this obligation shall
be null and void; otherwise it shall remain in full force and effect.

A claimant is defined as one having a direct contract with the Principal or with a
Subcontractor of the Principal for labor, material or both, used or reasonably required for
use in the performance of the contract.

Signed and sealed this _____ day of _____, 20 .. .

WITNESS:

SIGNATURES:

CONTRACTOR:

Signature.....

.....

Print Name Legibly

Print Name Legibly

SURETY:

Signature.....

.....

Print Name Legibly

Print Name Legibly

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

.....

ADDRESS

.....

.....

TELEPHONE

.....

SPECIAL PROVISION PARTNERING

The successful bidder will have the opportunity to enter into a cooperative partnership agreement with the State Department of Transportation for the contract. The objective of this agreement is the effective completion of the work on time and to the standard of quality that will be a source of pride to both the State and the Contractor. The partnering agreement will not affect the terms of the contract. It is intended only to establish an environment of cooperation between the parties. If the partnering agreement is accepted.

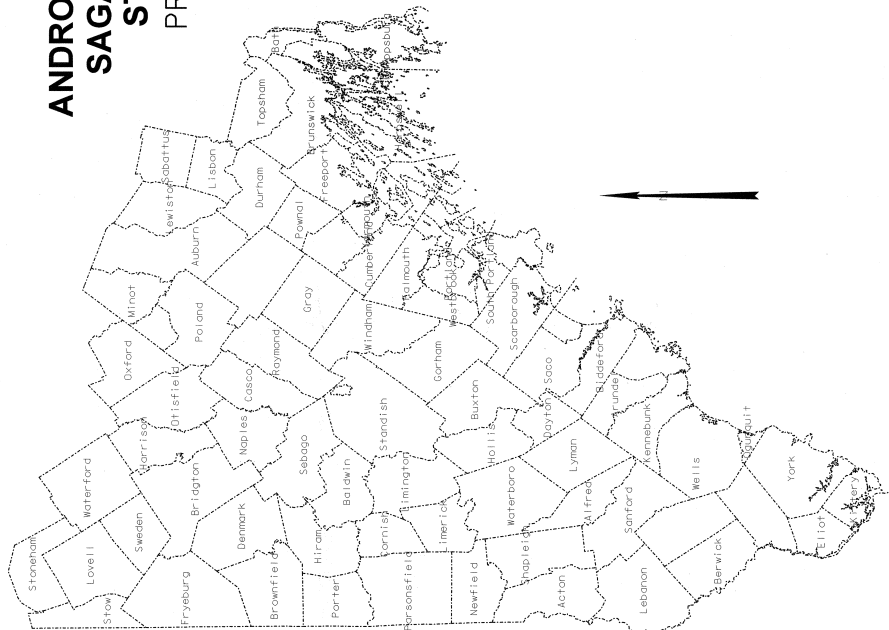
1. Contractor shall select and provide a third-party facilitator to conduct the team building workshop for the Contractor and Department personnel. Facilitator selection shall require Department concurrence. The cost for the facilitator and his associated expenses will be shared equally by the Department on the next monthly estimate, following receipt of invoice(s) from the Contractor, on an extra work basis.
2. Contractor and Department will exchange lists of the key personnel to be participants in the workshop. The list will contain the name and job title of each person, a contact phone number, and the address for job related correspondence.
3. The Contractor shall select the location and make all arrangements for space as required by facilitator, and for any meals required. This cost to be shared equally.
4. A working arrangement for the partnership will be agreed upon in writing at the workshop. The arrangement will set out the mutually recognized goals and expectation of the parties.
5. The Contractor and the Department agree to make an effort to maintain identified key personnel assigned to the work for its duration. A timely notice by each shall be given if changes by either must be made.
6. Project issues shall be processed in the manner agreed upon by the parties during the orientation.
7. Follow-up workshops may be held periodically throughout the duration of the contract as agreed by the Contractor and the Department.
8. The Partnering Agreement is not intended to be a legal document. Failure by either party to follow the process identified will not be grounds for any claim under the contract.
9. ARE YOU INTERESTED IN THIS OPPORTUNITY? YES _____ NO _____

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION



REGION 1
ANDROSCOGIN, CUMBERLAND, OXFORD
SAGADAHOCH AND YORK COUNTIES
STATE PROJECT NO. 15961.01

PROJECT LENGTH : 42.450 MILES
HIGHWAY PRESERVATION



TOWN	ROUTE	LENGTH (miles)
KITTERY	103	0.97
LEBANON	202	8.36
SACO	I-195	0.88
SACO	5	0.85
SCARBOROUGH	CONNECTOR	2.10
SCARBOROUGH	CONNECTOR	1.96
S. PORTLAND	I	1.32
PORTLAND &	77	1.39
S. PORTLAND		
WESTBROOK	25	1.50
FALMOUTH	26	0.52
BRUNSWICK	CONNECTOR	0.86
BRUNSWICK	CONNECTOR	0.60
TOPSHAM	196	2.31
TOPSHAM	196	4.87
FRYEBURG	302	0.72
BRIDGTON	302	5.81
MECH FALLS &	26	3.28
OXFORD		
AUBURN	UNION ST.	0.39
LEWISTON	126	0.46
LEWISTON	196	3.30

15961.01
PIN 15961.01

REGION 1
CRACK SEALING
TITLE SHEET

SHEET NUMBER
1
OF 1
PROGRAM AREA: CAPITAL RESOURCES
SCOPE OF WORK: CRACK SEALING - REGION WIDE

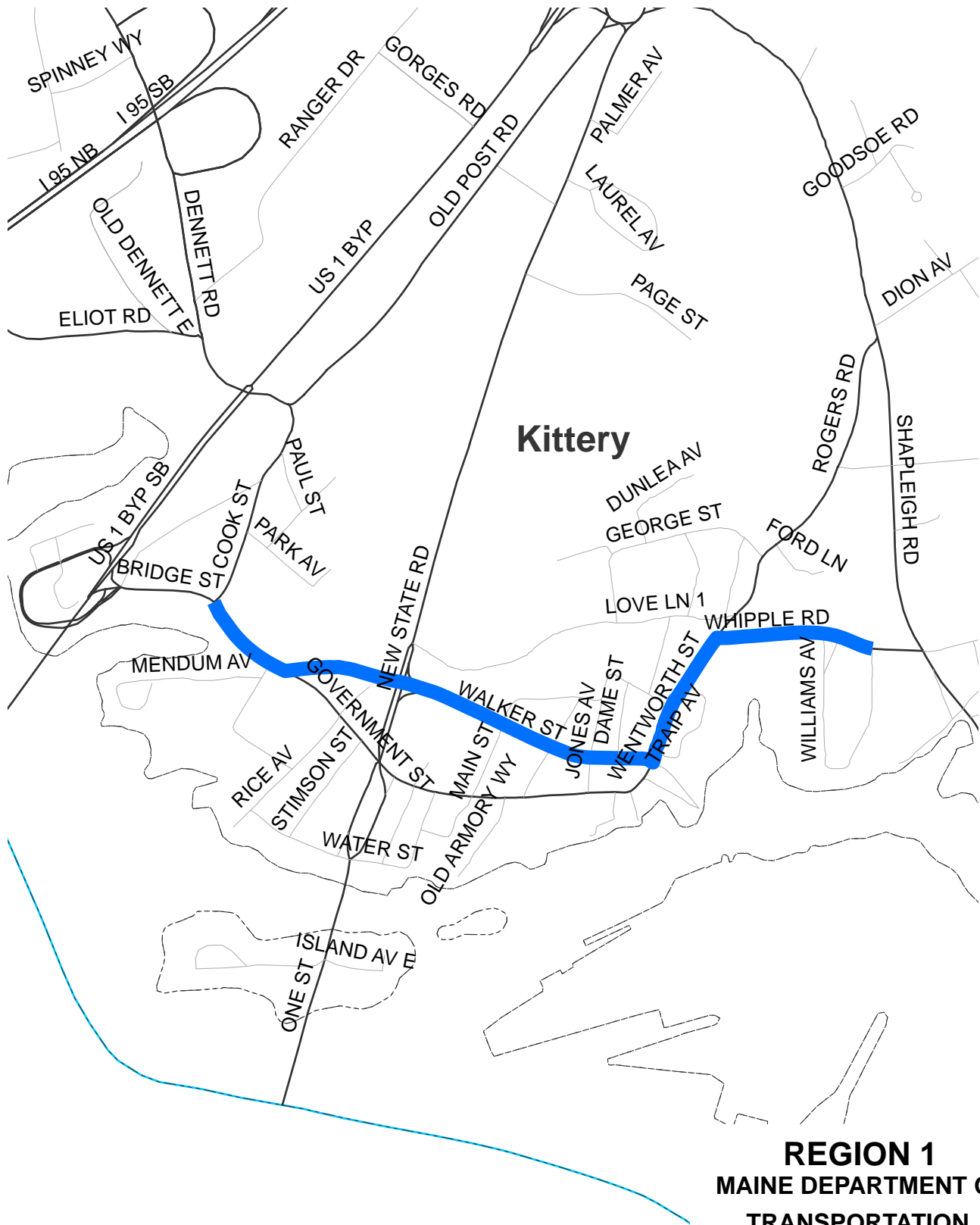
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
APPROVED
COMMISSIONER
DATE 2/11/08
CHIEF ENGINEER

STATE OF MAINE PROFESSIONAL ENGINEER
9316
DATE 02-11-2008
P.E. NUMBER
SIGNATURE
ROBERT HOUGH
OIL COURTENANCE

PROJECT INFORMATION
PROGRAM
PROJECT WAGER
DESIGNER
CONSULTANT
CONTRACT RESIDENT
CONTRACTOR
PROJECT COMPLETION DATE

<u>Map ID#</u>	<u>Route #</u>	<u>Town(s)</u>	<u>Description</u>	<u>Length</u>
1	103	Kittery	From the jct of Williams Ave southerly, to the jct of Bridge St.	0.67
2	11/202	Lebanon	From the New Hampshire border northerly, to the Sanford town line.	8.36
3	I-195	Saco	From the jct of Rte 1 easterly, to the Old Orchard Beach town line (both sides).	0.88
4	5	Saco	From the jct of Rte I-195 westerly, to the jct of Rte 1.	0.85
5	Scarborough Connector	Scarborough	From the end of the Rte 295 off ramp southerly, to the jct of Rte 1.	2.10
6	Scarborough Connector	Scarborough	From the jct of Rte 1 northerly, to the end of the I-295 on-ramp.	1.96
7	1	So. Portland	From the jct of Broadway northerly, to the Portland town line (both sides).	1.32
8	77	Portland So. Portland	From the jct of Spring St, across the bridge, to the jct of Scamman St (both sides).	1.39
9	25	Westbrook	From 0.55 mi w/o Saco St westerly, to 0.2 mi w/o Mosher Rd.	1.50
10	26	Falmouth	From 0.24 mi n/o Roberts St northerly, to the jct of Leighton Rd.	0.52
11	Brunswick Connector	Brunswick	From the end of Rte 295 off-ramp easterly, to the jct of Rte 1.	0.86
12	Brunswick Connector	Brunswick	From Pleasant St (Rte 1) westerly, for 0.60 mile.	0.60
13	196	Topsham	From the Androscoggin River Bridge northerly, to the bridge over Rte 295.	2.31
14	196	Topsham	From 0.1 mi s/o Birch Ave northerly, to the Lisbon town line.	4.87
15	302	Fryeburg	From 1.06 mi w/o Monotony Rd westerly, to the jct of Rte 5.	0.72
16	302	Bridgton	From the jct of Rte 117 northerly, to 0.5 mi n/o Kendal Ham Drive.	5.81
17	26	Mechanic Falls Oxford	From 0.1 mi n/o Rte 11 westerly, to 0.3 mi n/o Rabbit Valley Rd.	3.28
18	Union St	Auburn	From the jct of Court St northerly, to the jct of Turner St.	0.39
19	126	Lewiston	From the jct of Bradbury Rd easterly, to the Sabattus town line.	0.46
20	196	Lewiston	From 0.1 mi s/o Read St westerly, to the jct of Rte 202.	<u>3.30</u>

Total Miles 42.15



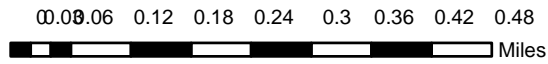
REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

SECTION 1
 KITTERY
 1.04 MILES

RTE 103

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS





REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

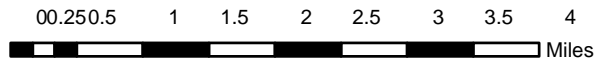
SECTION 2
 LEBANON
 8.36 MILES

RTE 11/202



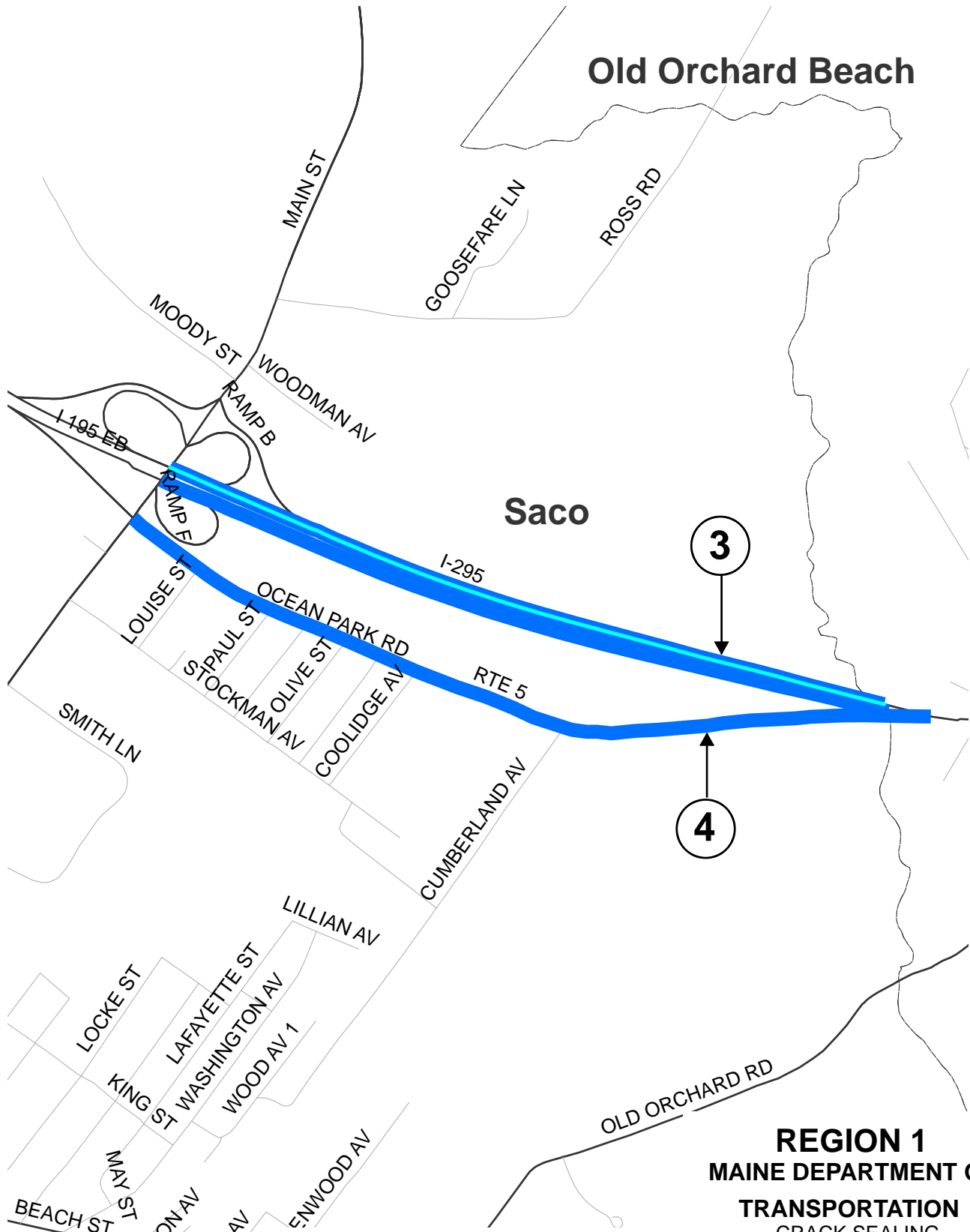
Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



Old Orchard Beach

Saco



REGION 1 MAINE DEPARTMENT OF TRANSPORTATION CRACK SEALING

SECTIONS 3 AND 4
SACO
1.76 MILES

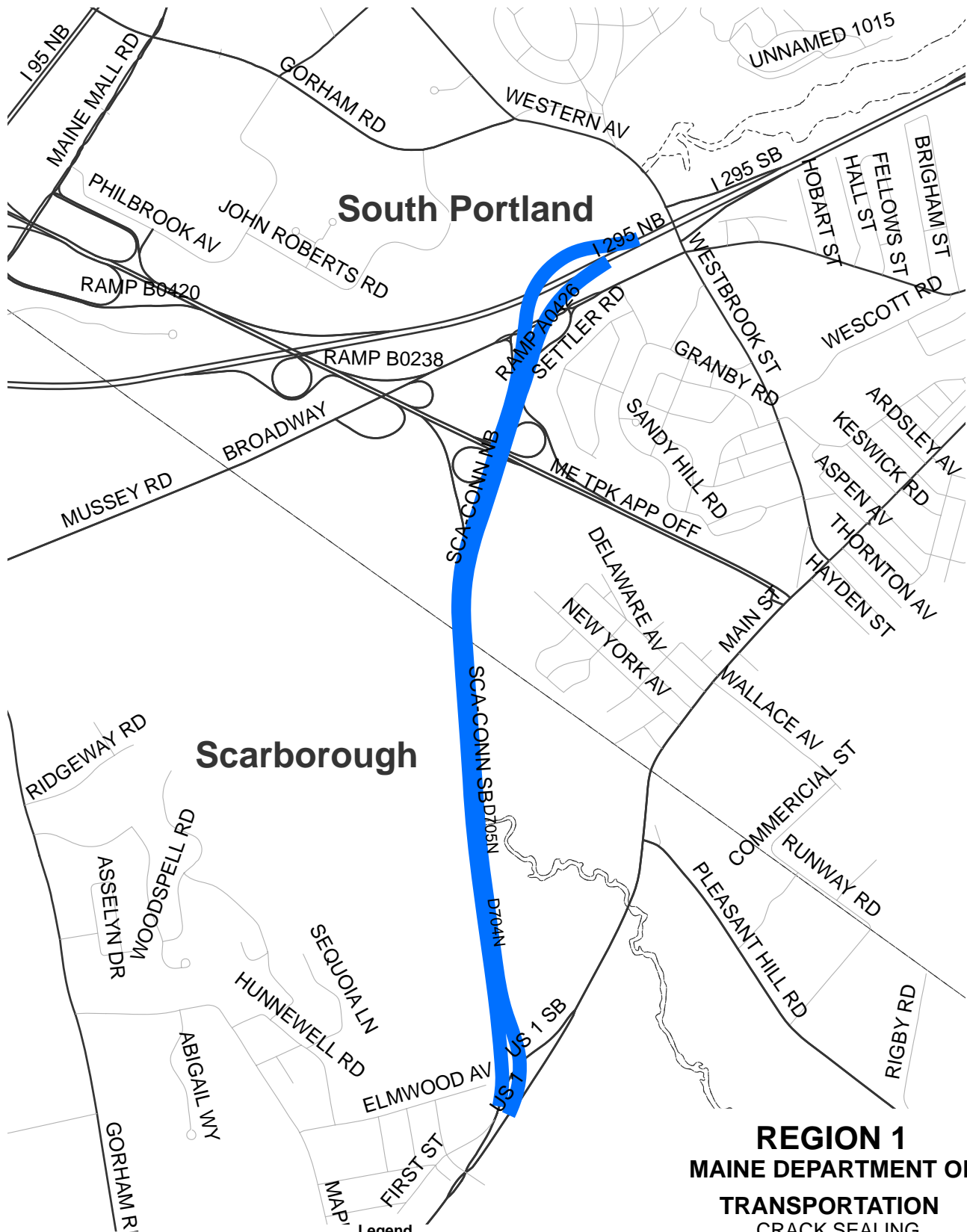
I-295 AND RTE 5

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS

0.02 0.04 0.08 0.12 0.16 0.2 0.24 0.28 0.32

Miles



South Portland

Scarborough

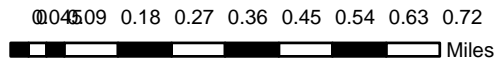
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTIONS 5 AND 6
SCARBOROUGH/S. PORTLAND
4.06 MILES

SCARBOROUGH CONNECTOR



- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS



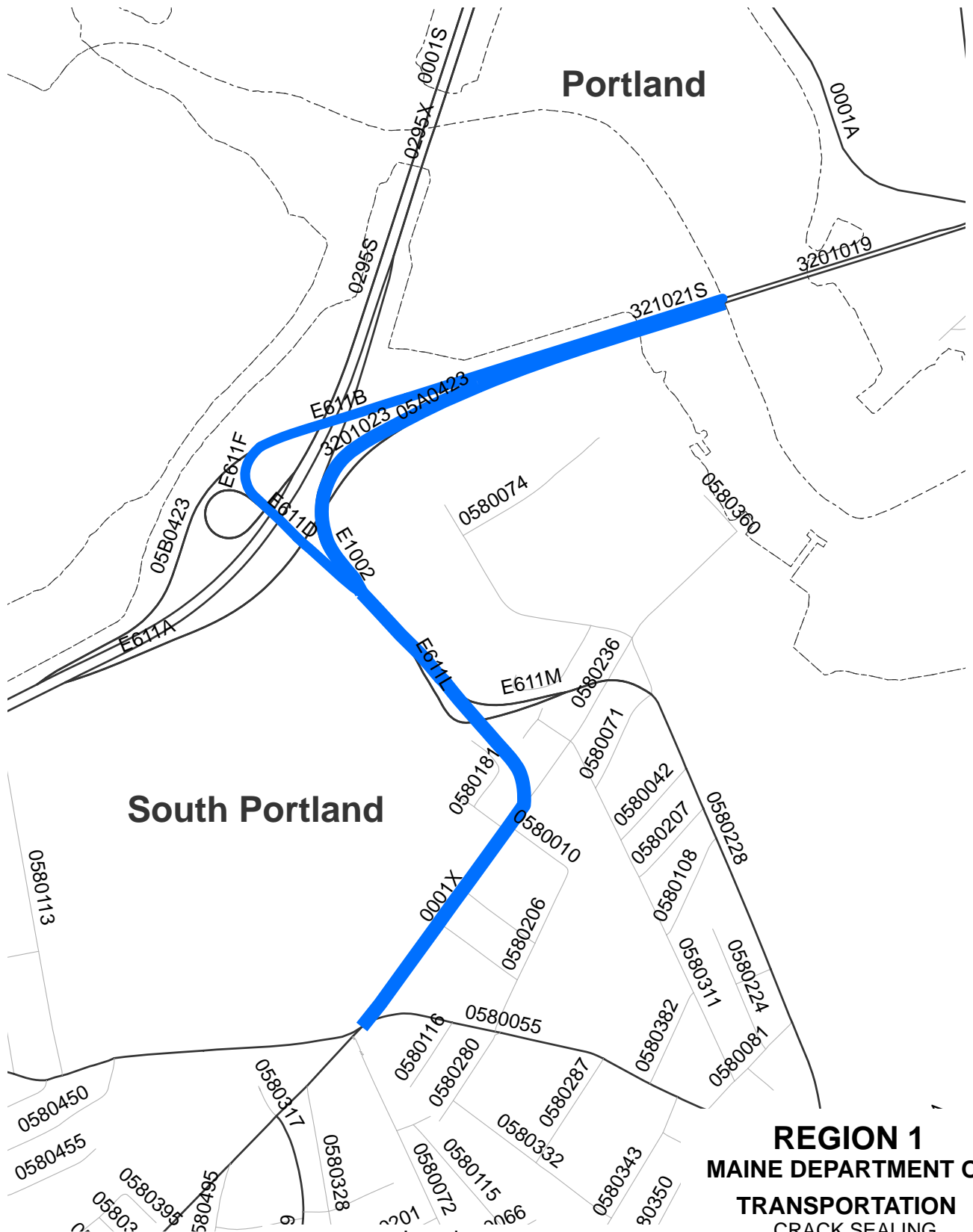
Portland

South Portland

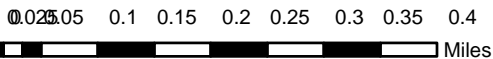
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

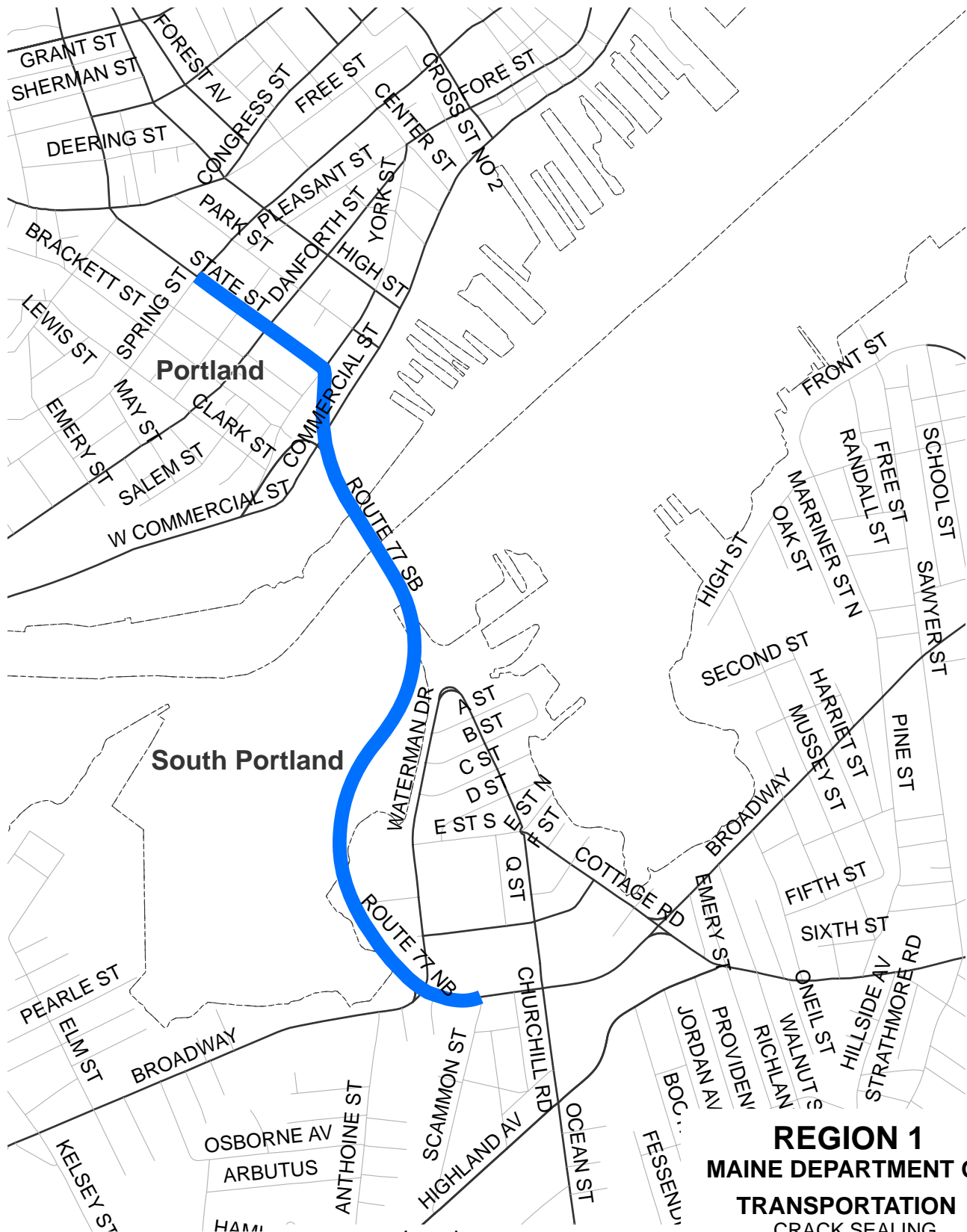
SECTION 7
SOUTH PORTLAND
1.25 MILES

RTE 1



- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS





Portland

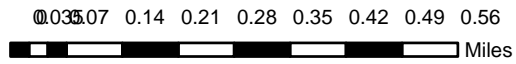
South Portland

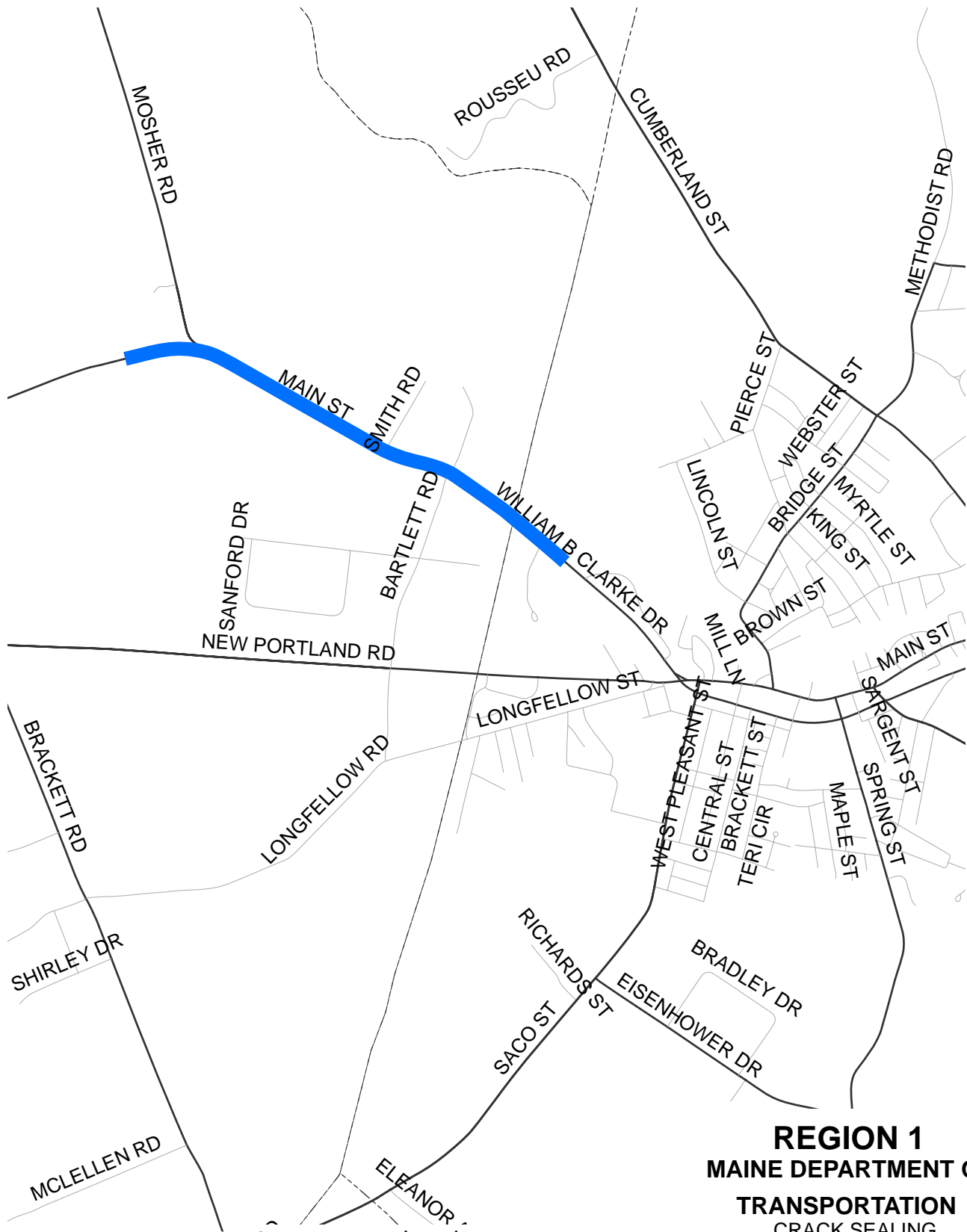
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

**SECTION 8
PORTLAND/S. PORTLAND
1.46 MILES**

RTE 77

- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS





REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

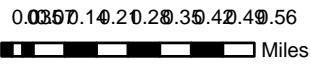
SECTION 9
 GORHAM/WESTBROOK
 1.50 MILES

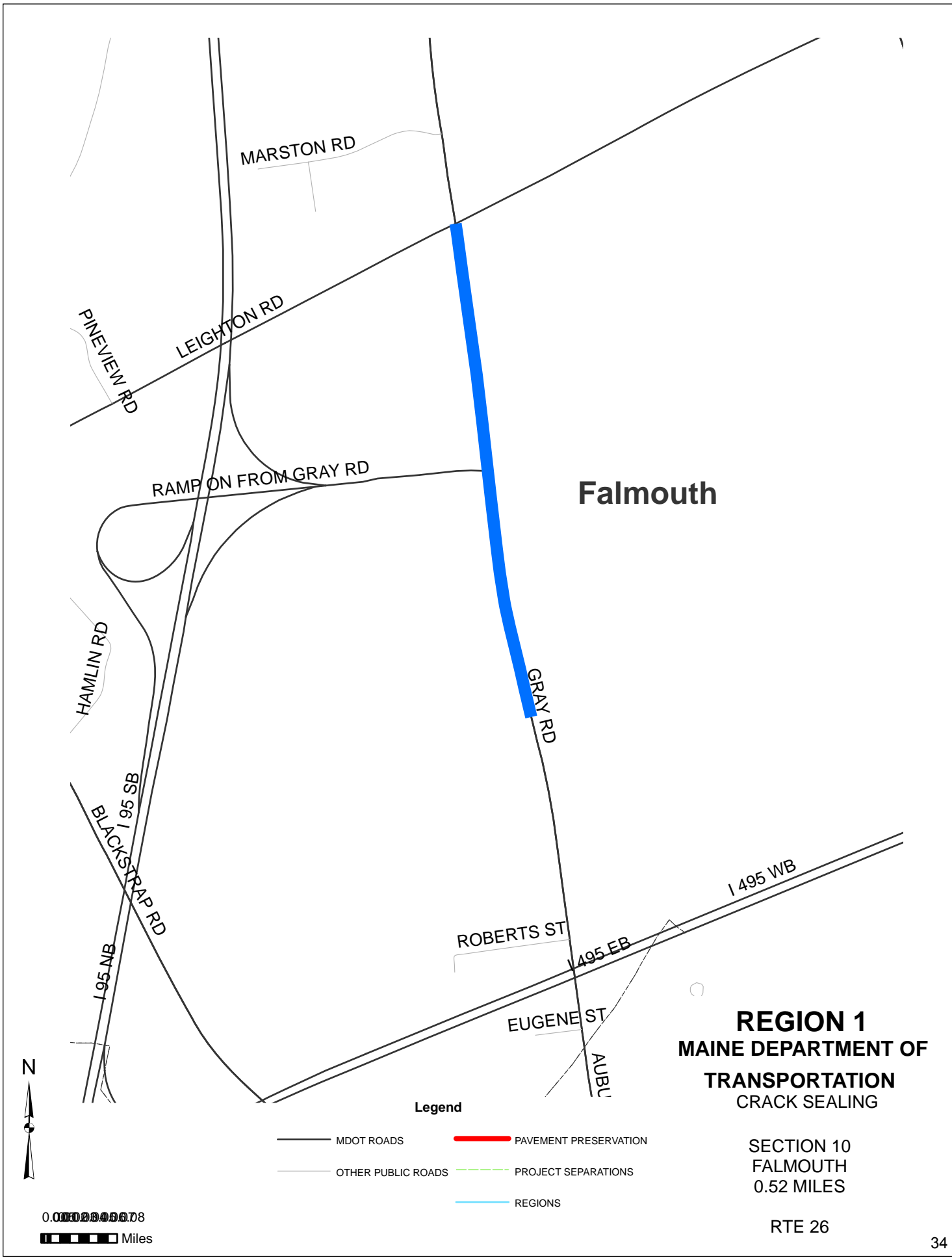
RTE 25



Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS





MARSTON RD

PINEVIEW RD

LEIGHTON RD

RAMP ON FROM GRAY RD

Falmouth

HAMLIN RD

GRAY RD

BLACKSTRAP RD

ROBERTS ST

I 495 WB

EUGENE ST

I 495 EB

REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

Legend

— MDOT ROADS

— PAVEMENT PRESERVATION

— OTHER PUBLIC ROADS

— PROJECT SEPARATIONS

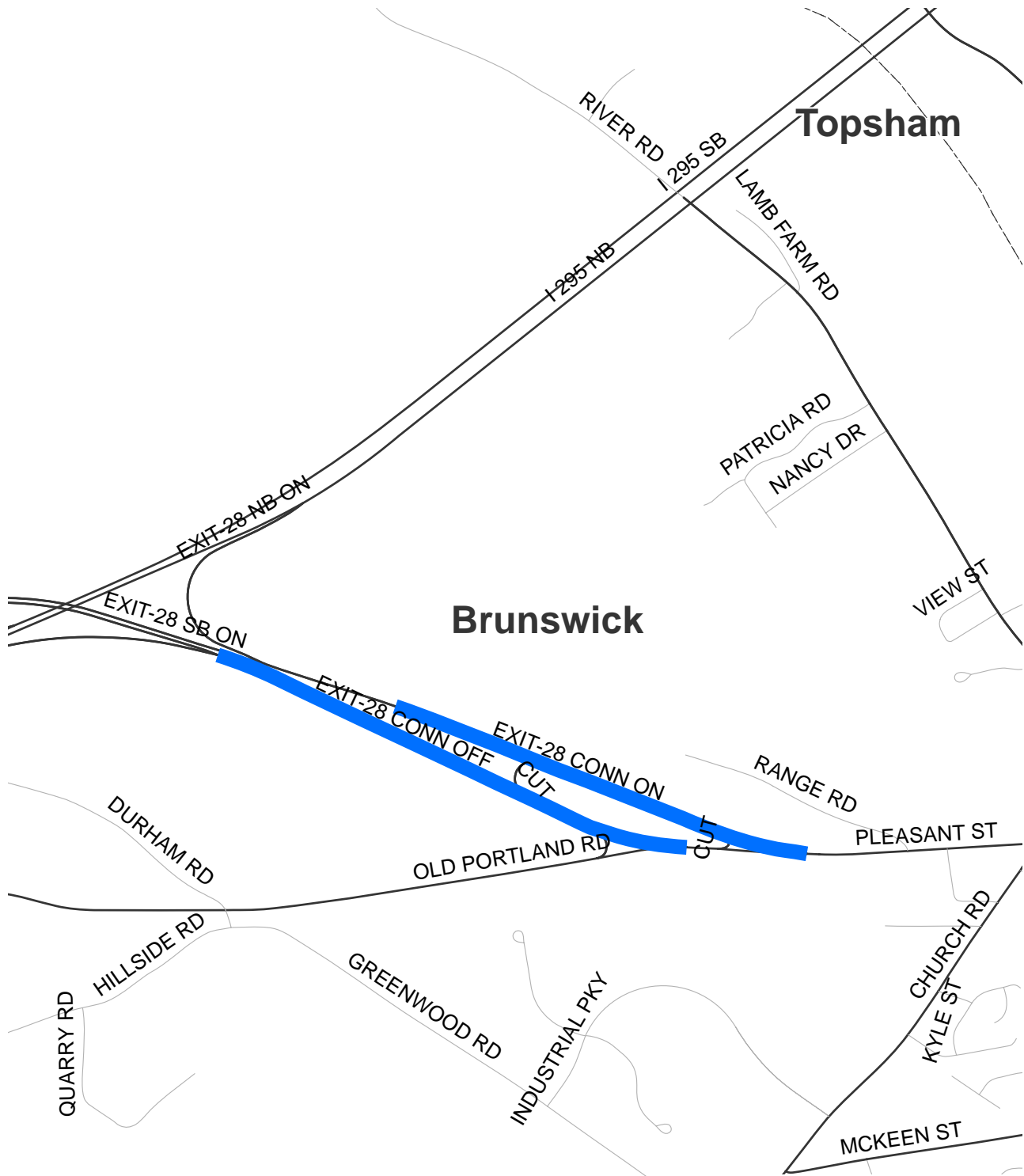
— REGIONS

SECTION 10
FALMOUTH
0.52 MILES

RTE 26



0.00000000000078
Miles



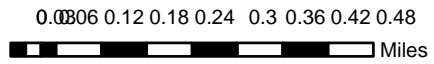
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

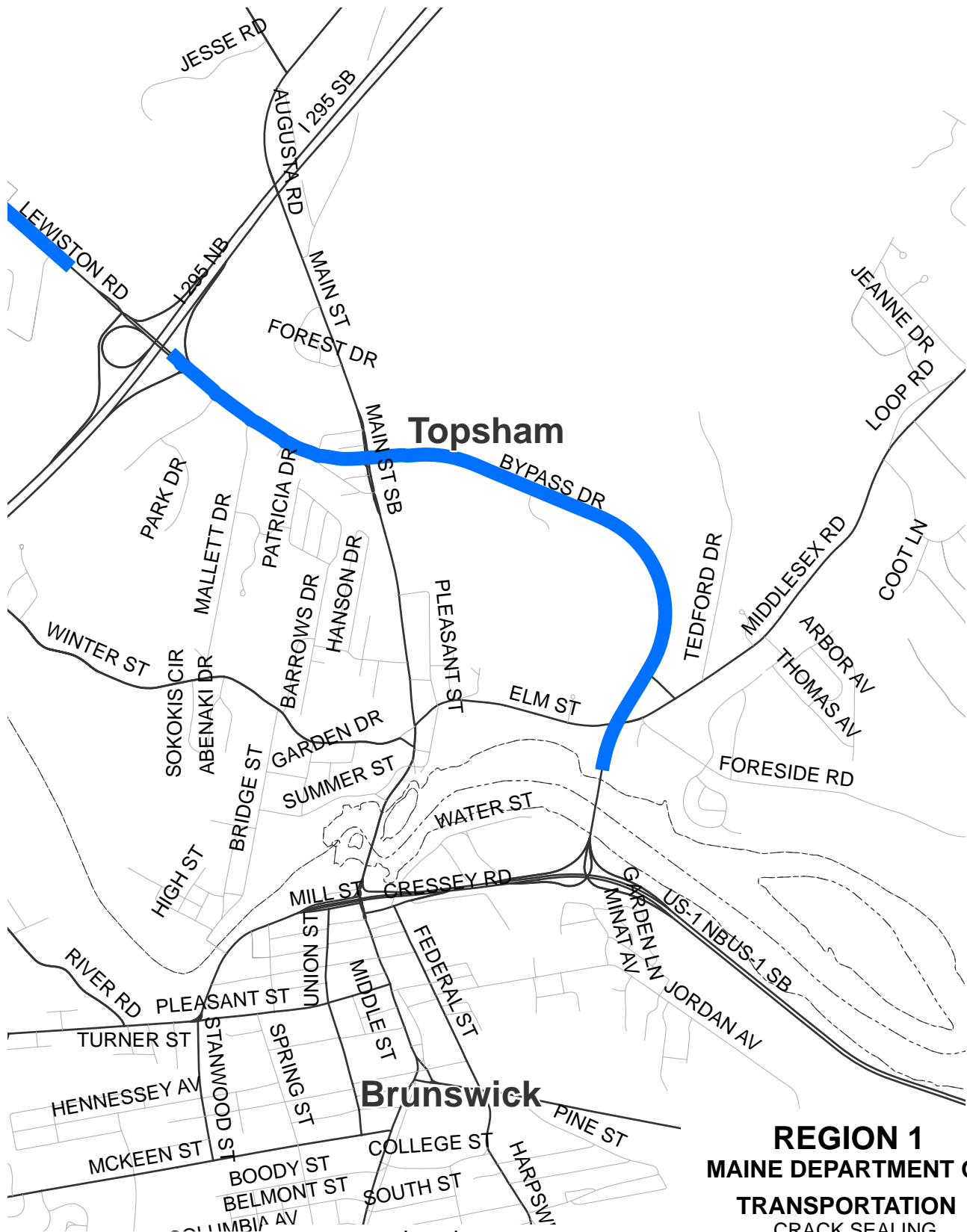
SECTIONS 11 AND 12
BRUNSWICK
1.46 MILES

BRUNSWICK CONNECTOR

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS










Topsham

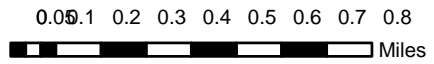
Brunswick

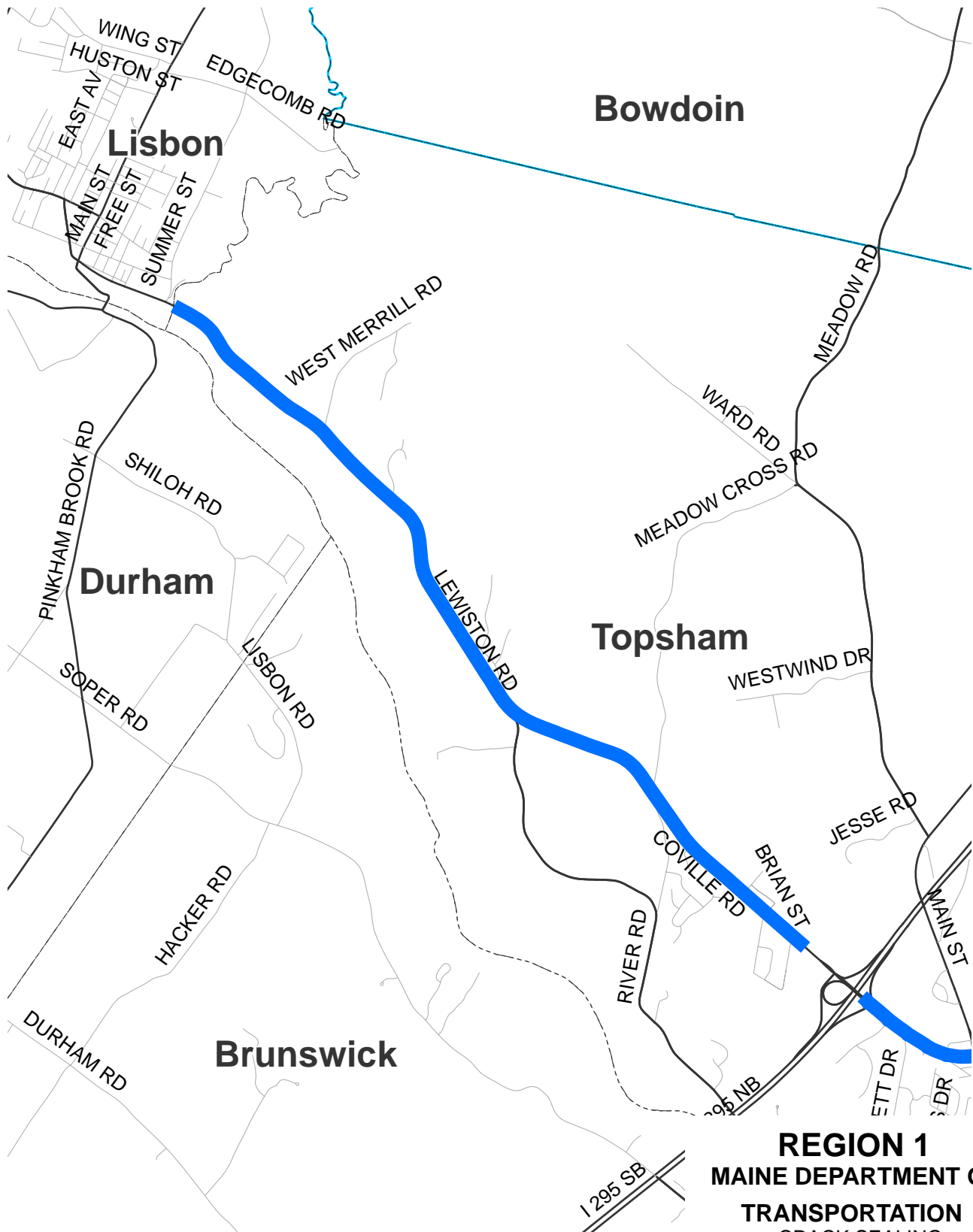
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 13
TOPSHAM
2.31 MILES

RTE 196

- Legend**
-  MDOT ROADS
 -  OTHER PUBLIC ROADS
 -  PAVEMENT PRESERVATION
 -  PROJECT SEPARATIONS
 -  REGIONS





Bowdoin

Lisbon

Durham

Topsham

Brunswick

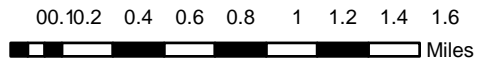
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

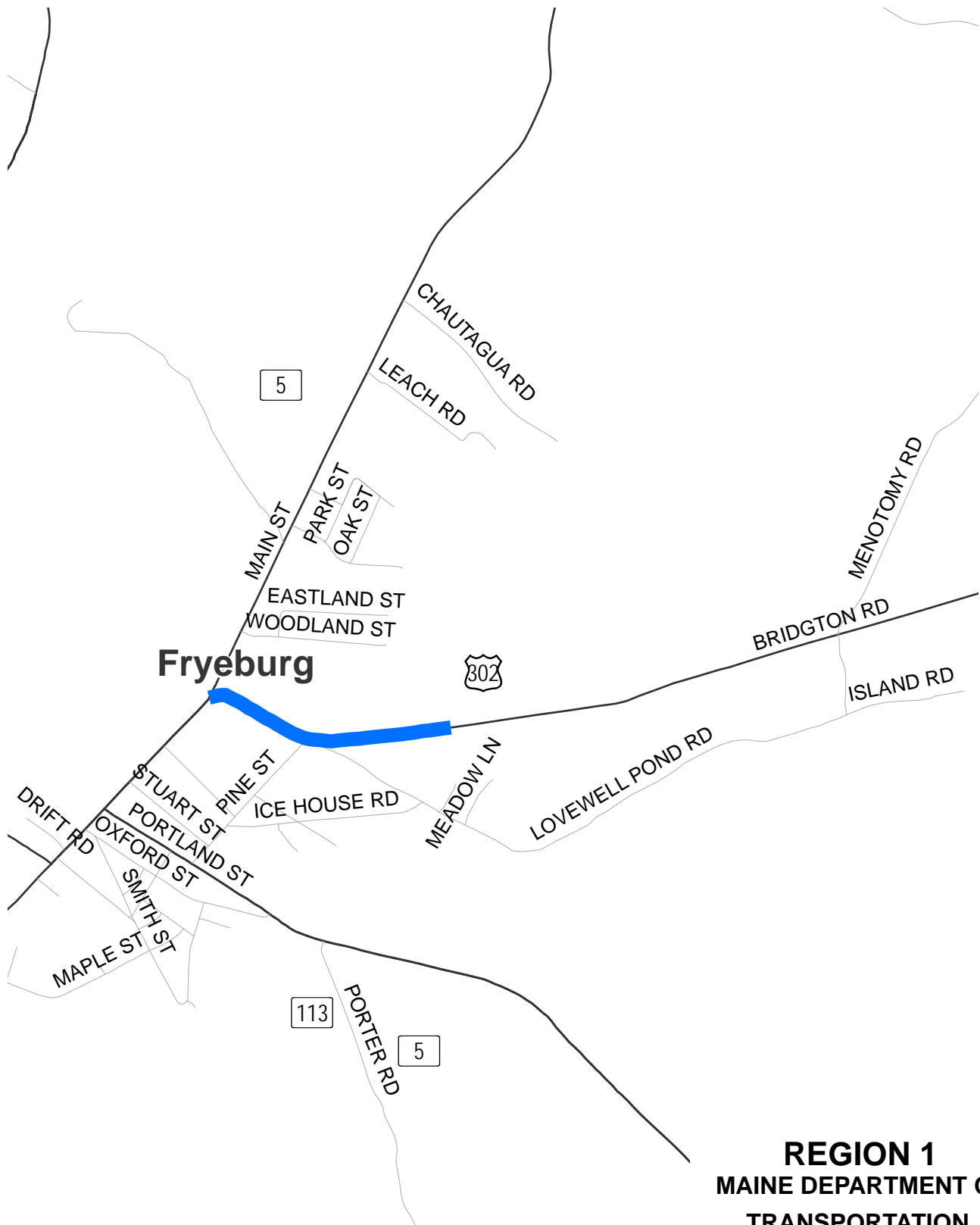
**SECTION 14
TOPSHAM
4.87 MILES**

RTE 196

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS





Fryeburg

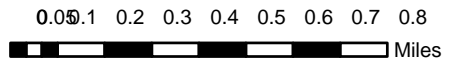
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

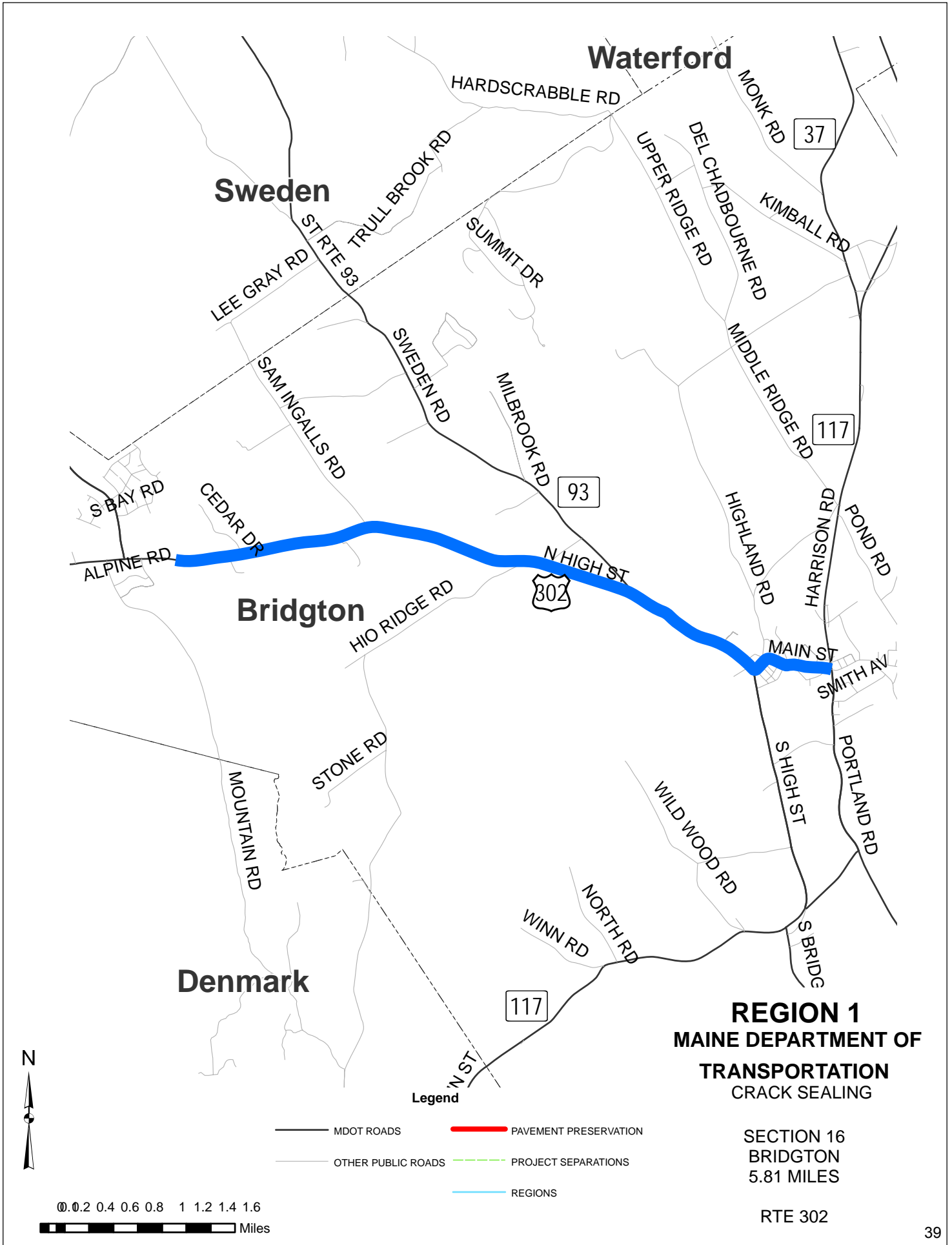
SECTION 15
FRYEBURG
0.72 MILES

RTE 302

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS





Waterford

Sweden

Bridgton

Denmark

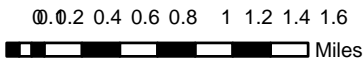
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

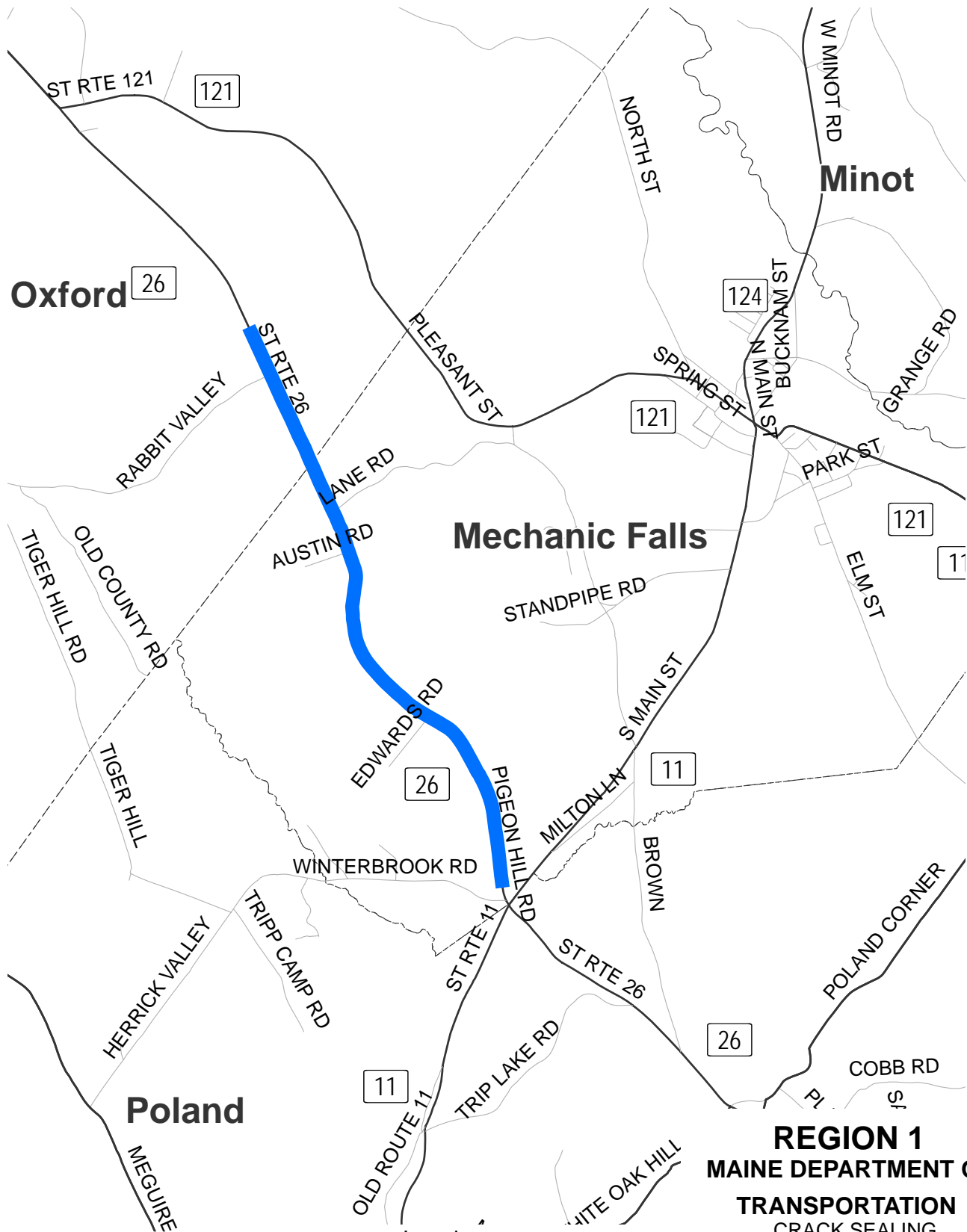
SECTION 16
BRIDGTON
5.81 MILES

RTE 302

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS





Oxford 26

Minot

Mechanic Falls

Poland

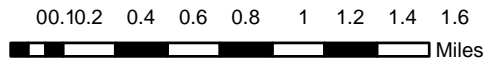
**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 17
MECHANIC FALLS/OXFORD
5.81 MILES

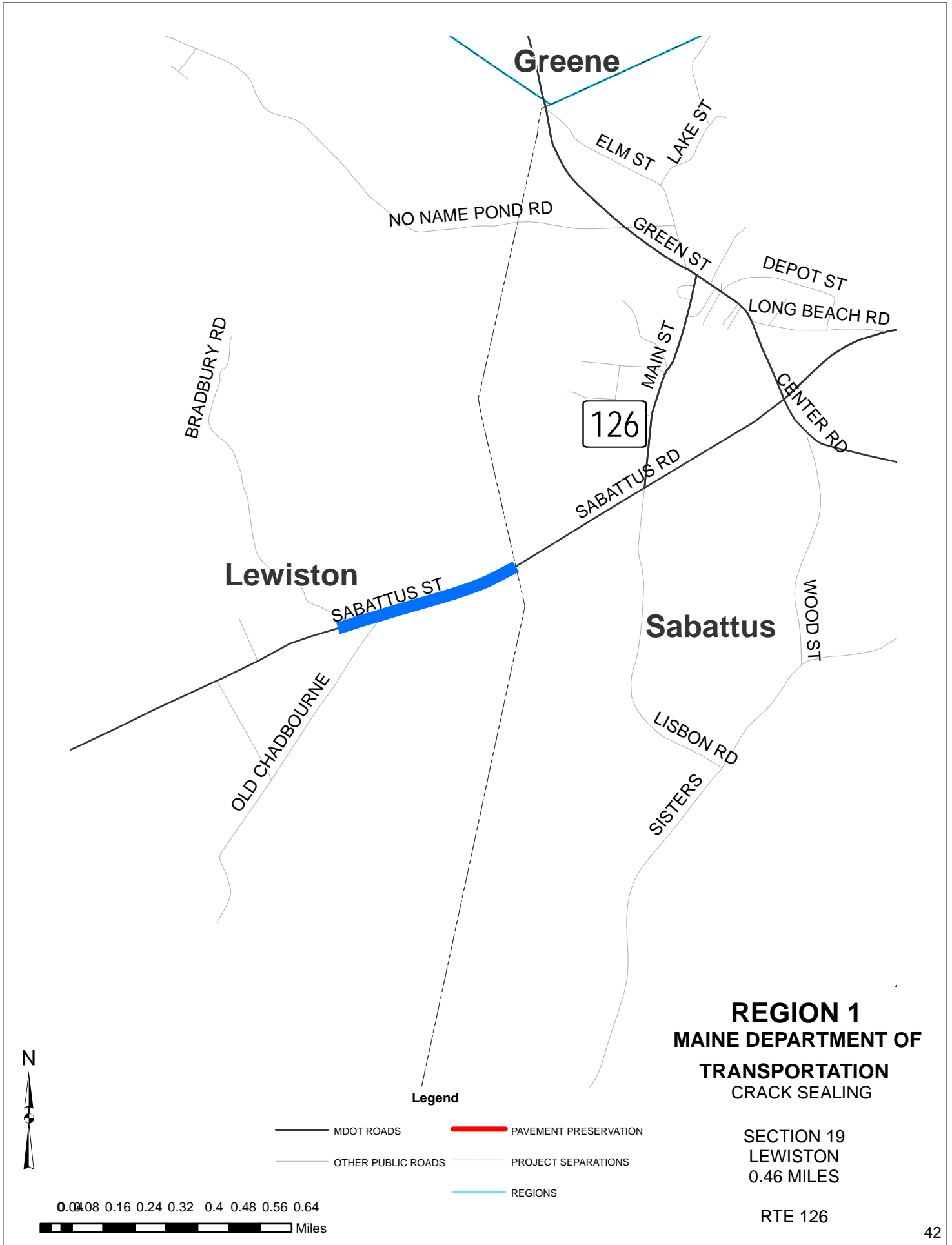
RTE 302

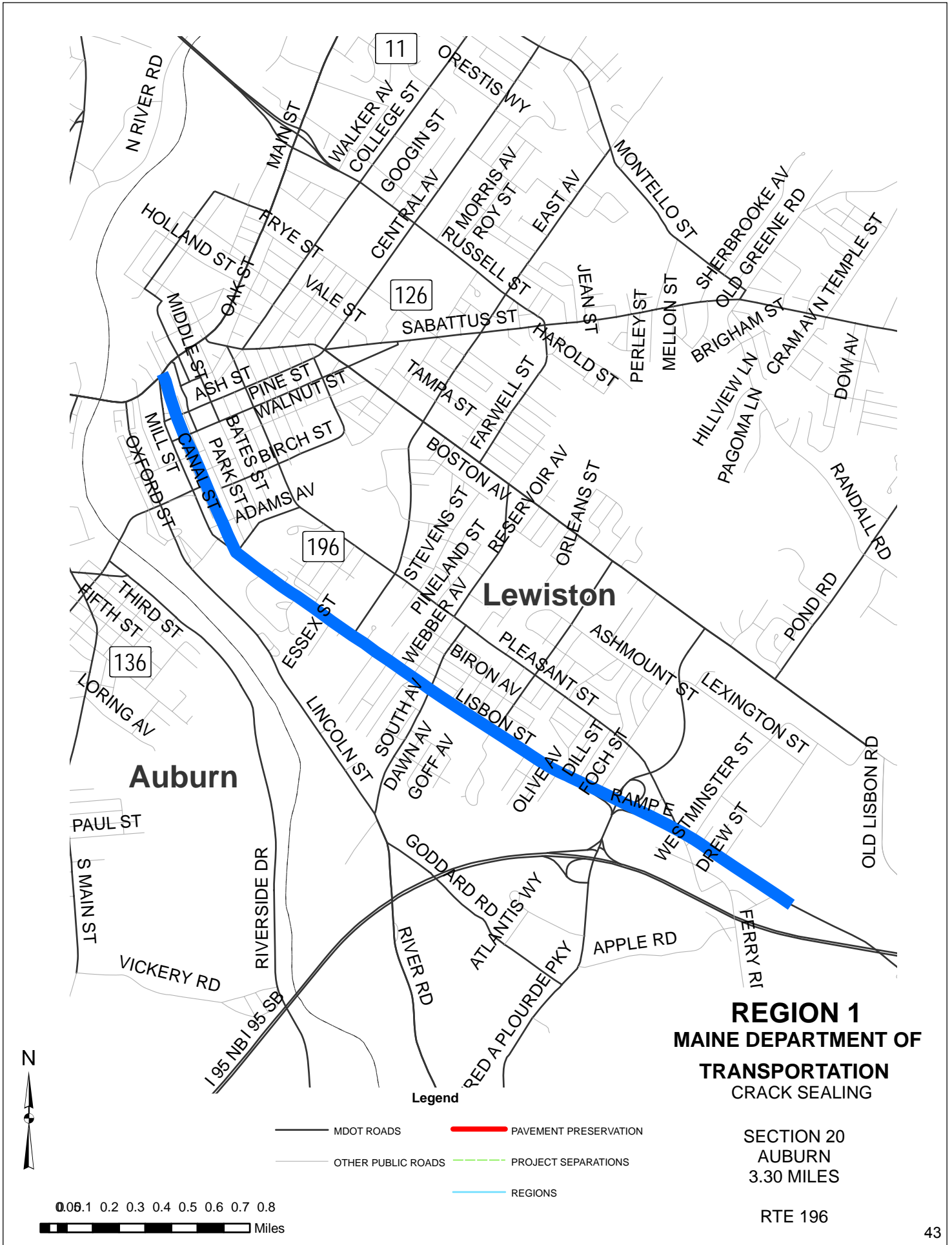
Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS









Auburn

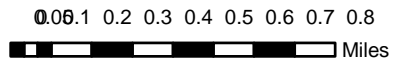
Lewiston

**REGION 1
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 20
AUBURN
3.30 MILES

RTE 196

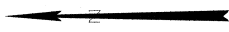
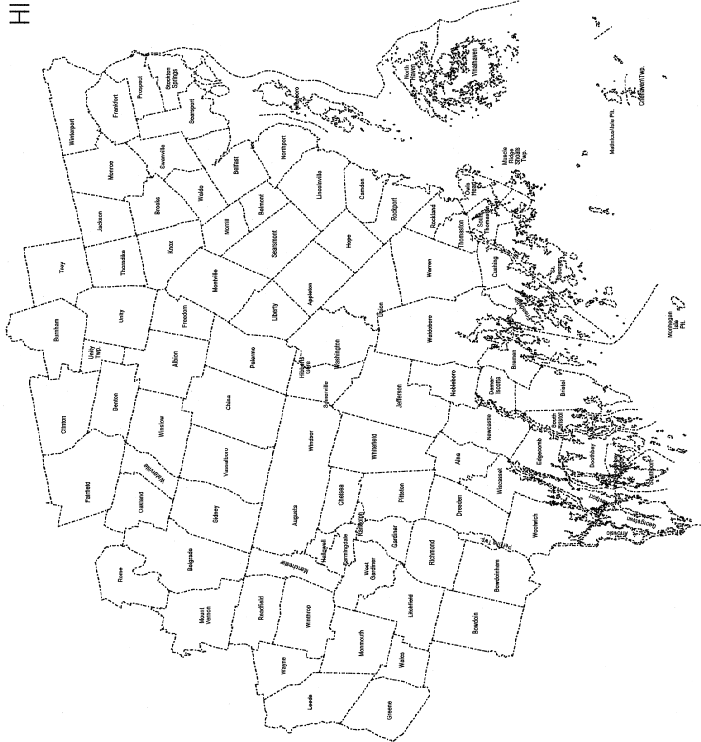
- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION



REGION 2
KENNEBEC & SOMERSET COUNTIES
STATE PROJECT NO. 15961.02
PROJECT LENGTH : 40.130 MILES
HIGHWAY PRESERVATION



SEC	TOWN	ROUTE/ROAD	LENGTH (miles)
1	AUGUSTA	OLD WINTHROP ROAD	0.94
2	AUGUSTA	GROVE ST/RTE 104	0.16
3	AUGUSTA	WATER ST	0.56
4	AUGUSTA	CIVIC CENTER DRIVE	4.28
5	AUGUSTA	RTE 3	2.51
6	AUGUSTA	WEST RIVER RD	1.49
7	AUGUSTA	SOUTH BELFAST AVE	2.81
8	FAIRFIELD	WESTERN AVE	9.42
9	PITTSFORD	RTE 27	3.64
10	PITTSFORD	RTE 126	1.61
11	WATERVILLE-FAIRFIELD	NORTH ST	1.29
12	WATERVILLE	RTE 104	3.96
13	WATERVILLE	WEST RIVER RD	2.90
14	WATERVILLE	COLLEGE AVE	3.05
15	WINSLOW	MONUMENT ST	0.35
16	WINSLOW	AUGUSTA RD	1.16
TOTAL MILES			40.13

15961.02
PIN 15961.02

PROJECT INFORMATION	PROGRAM HIGHWAY	PROJECT MANAGER T. J. K. KITTRECK	SIGNATURE [Signature]	DATE 1/21/02
	CONTRACTOR	CONSULTANT	P.E. NUMBER	
TITLE SHEET				
REGION 2 CRACKSEALING				
SHEET NUMBER 1				
OF 1				

PROGRAM AREA: CAPITAL RESOURCES
SCOPE OF WORK: CRACK SEALING- REGION WIDE

REGION 2

CRACK SEAL 2008

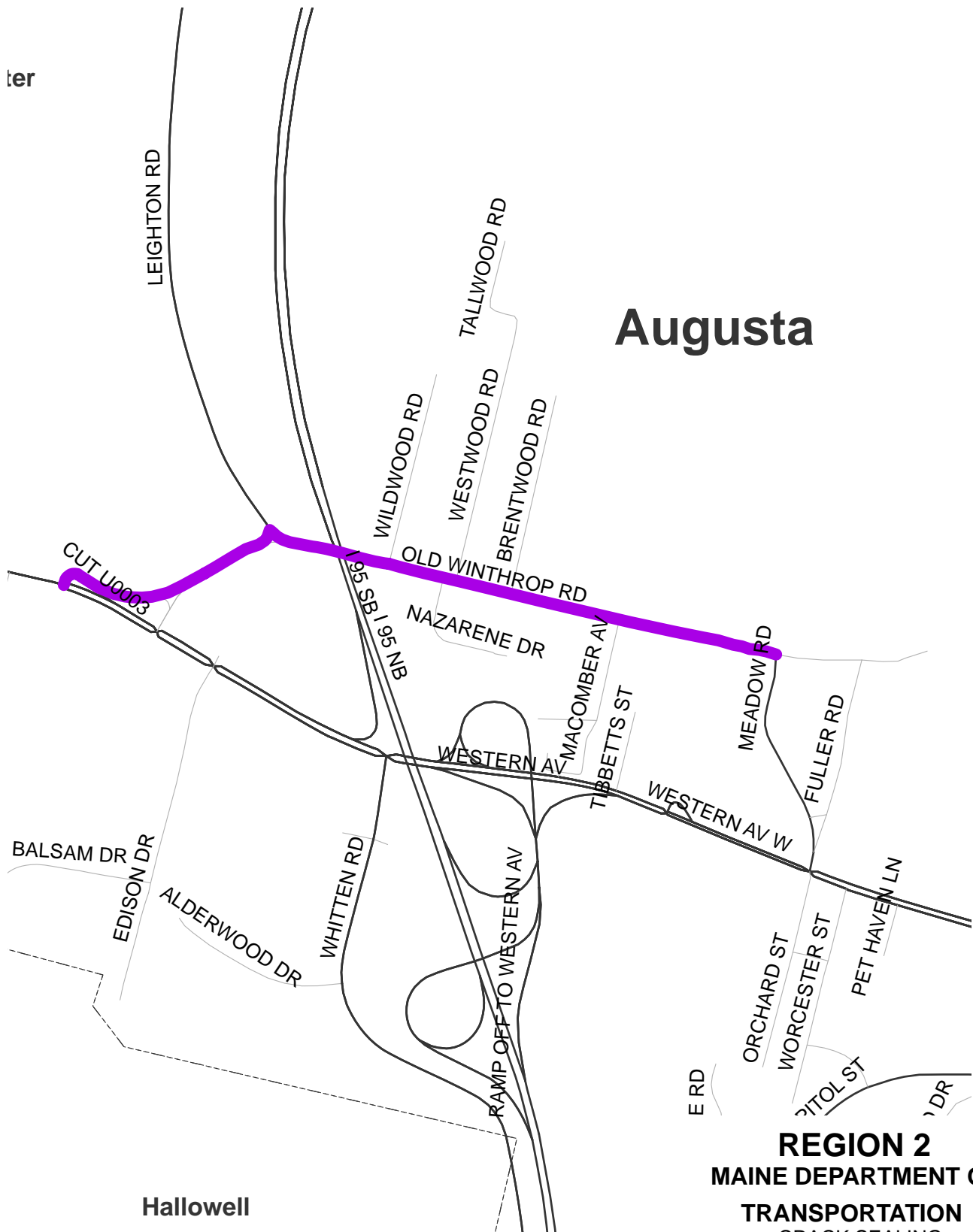
PIN 15961.02

<u>Section #</u>	<u>Route #</u>	<u>Town(s)</u>	<u>Description</u>	<u>Length</u>
1	Old Winthrop Rd	Augusta	Beginning at Meadow Road and extending westerly 0.94 of a mile to Western Avenue.	0.94
2	Grove St/Rte 104	Augusta	Beginning 0.01 of a mile west of West Crescent Street and extending easterly 0.16 of a mile to Gage Street.	0.16
3	Water St	Augusta	Beginning at Bond Street and extending southerly 0.56 of a mile to Gage Street.	0.56
4	Civic Center Drive	Augusta	Beginning 0.04 of a mile north of Darin Drive and extending northerly 4.28 miles to 0.61 of a mile south of the Sidney-Belgrade town line.	4.28
5	Rte 3	Augusta	Beginning at the Exit 113 ramps and extending easterly 2.37 miles to North Belfast Avenue.	2.51
6	West River Rd	Augusta	Beginning 0.12 of a mile north of Birchview Drive and extending northerly 1.49 miles to 1.38 miles south of the Augusta-Sidney town line.	1.49
7	South Belfast Ave	Augusta	Beginning at Hicks Road and extending easterly 2.81 miles to 0.07 of a mile west of Spring Road.	2.81
8	Western Ave	Fairfield	Beginning at Route 201 and extending westerly 9.42 miles to 0.33 of a mile east of Covell Road.	9.42
9	Rte 27	Pittston	Beginning at the Dresden-Pittston town line and extending northerly 3.64 miles to 0.32 of a mile south of Arnold Road.	3.64
10	Rte 126	Pittston	Beginning 0.09 of a mile west of Stoney Acres Road and extending easterly 1.45 miles to 0.55 of a mile west of Jewett Road.	1.61
11	North St	Waterville	Beginning 0.15 of a mile north of Quarry Road and extending southerly 1.29 miles to Main Street.	1.29
12	Rte 104	Waterville-Fairfield	Beginning at Silver Street and extending northerly 3.96 miles to Center Road.	3.61
13	West River Rd	Waterville	Beginning 0.19 of a mile north of Trafton Road and extending northerly 2.8 miles to Kennedy Memorial Drive.	2.90
14	College Ave	Waterville	Beginning on Front Street 0.12 of a mile north of Colby Street and extending northerly 3.05 miles to Western Avenue.	3.05
15	Monument St	Winslow	Beginning at Clinton Avenue and extending southerly 0.35 of a mile to Halifax Street.	0.35
16	Augusta Rd	Winslow	Beginning 0.05 of a mile north of Route 137 and extending northerly 1.16 miles to 0.39 of a mile south of Clinton Avenue.	1.16

Total Miles: 39.78

ter

Augusta



Hallowell

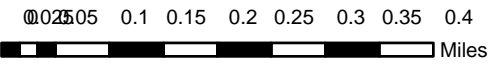
REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

SECTION 1
 AUGUSTA
 0.94 MILES

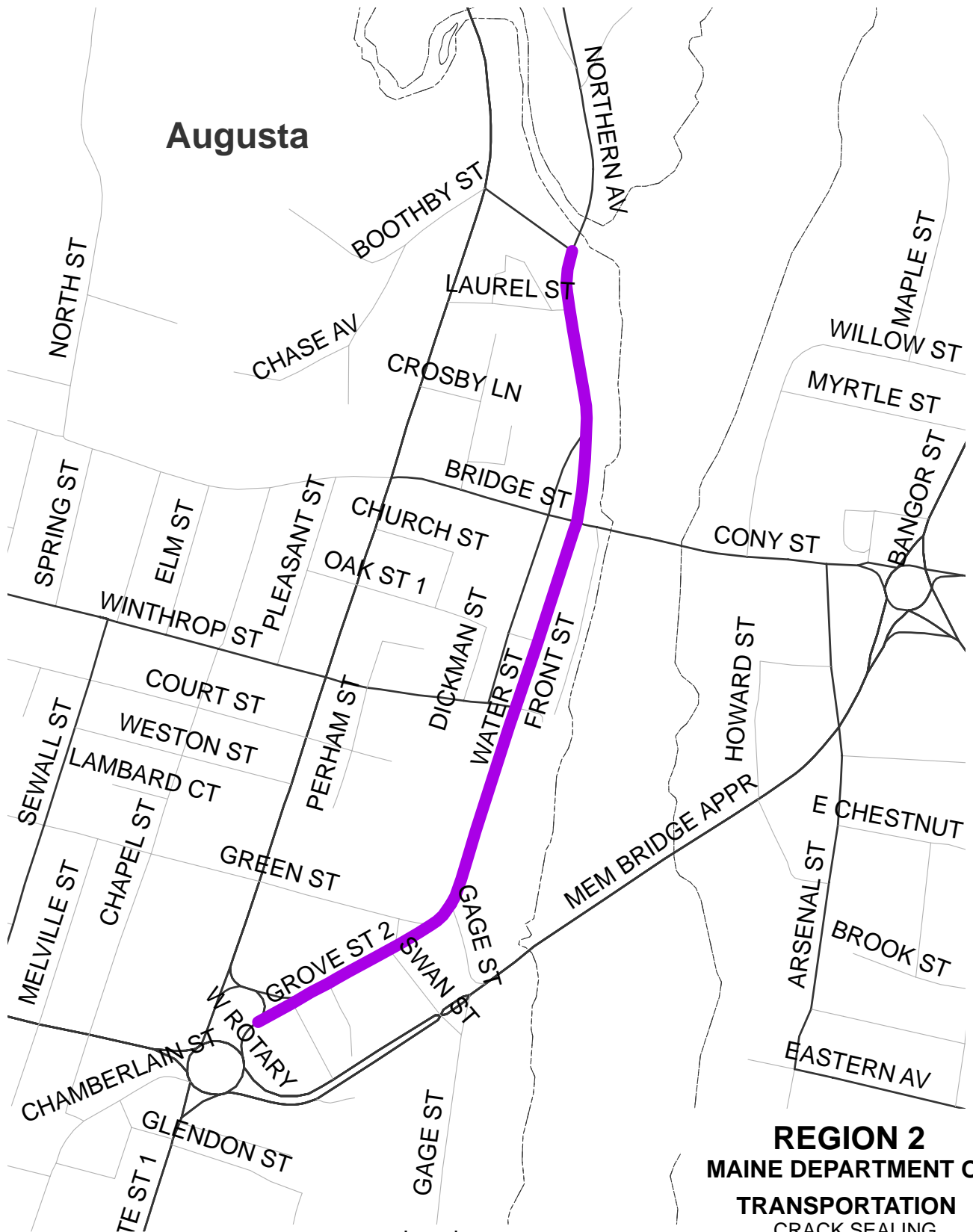
OLD WINTHROP RD

Legend

-  MDOT ROADS
-  OTHER PUBLIC ROADS
-  PAVEMENT PRESERVATION
-  PROJECT SEPARATIONS
-  REGIONS



Augusta



REGION 2 MAINE DEPARTMENT OF TRANSPORTATION CRACK SEALING


SECTIONS 2 AND 3
AUGUSTA
0.72 MILES

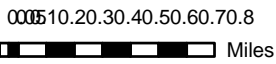
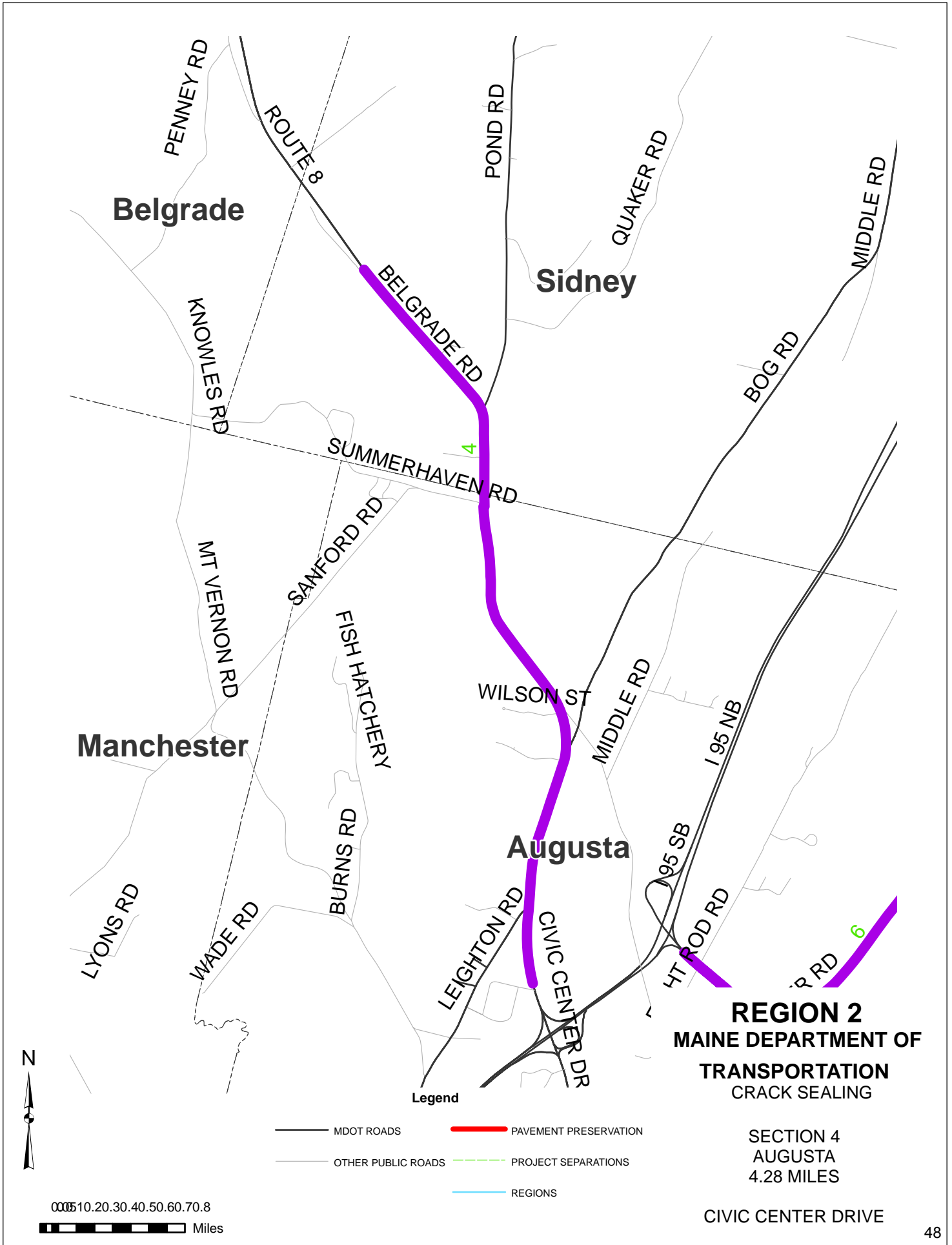
GROVE ST AND WATER ST

Legend

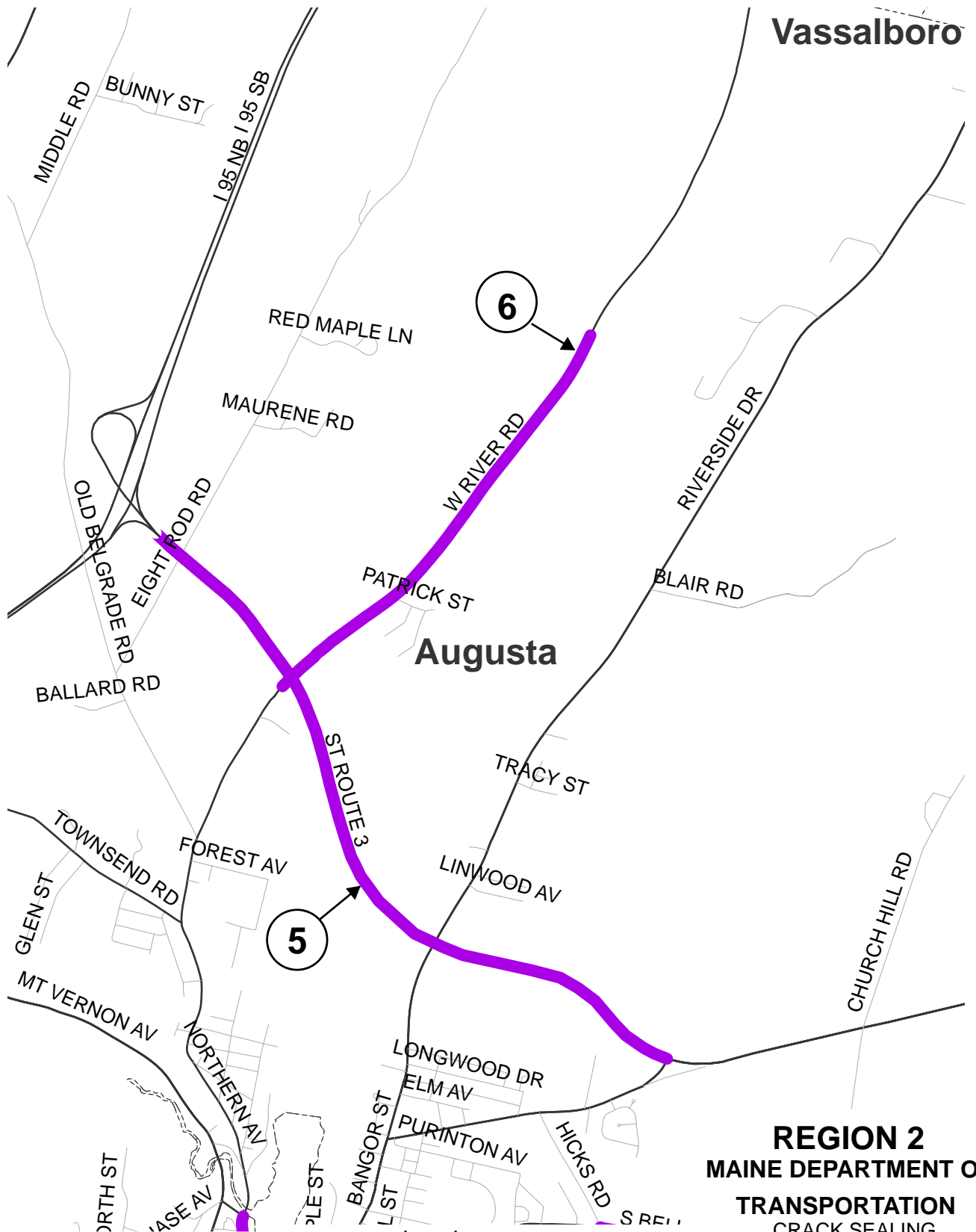
-  MDOT ROADS
-  OTHER PUBLIC ROADS
-  PAVEMENT PRESERVATION
-  PROJECT SEPARATIONS
-  REGIONS



0.000000000008
 Miles



Vassalboro



Augusta

REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

SECTIONS 5 AND 6
 AUGUSTA
 4.00 MILES

RTE 3 AND W. RIVER RD

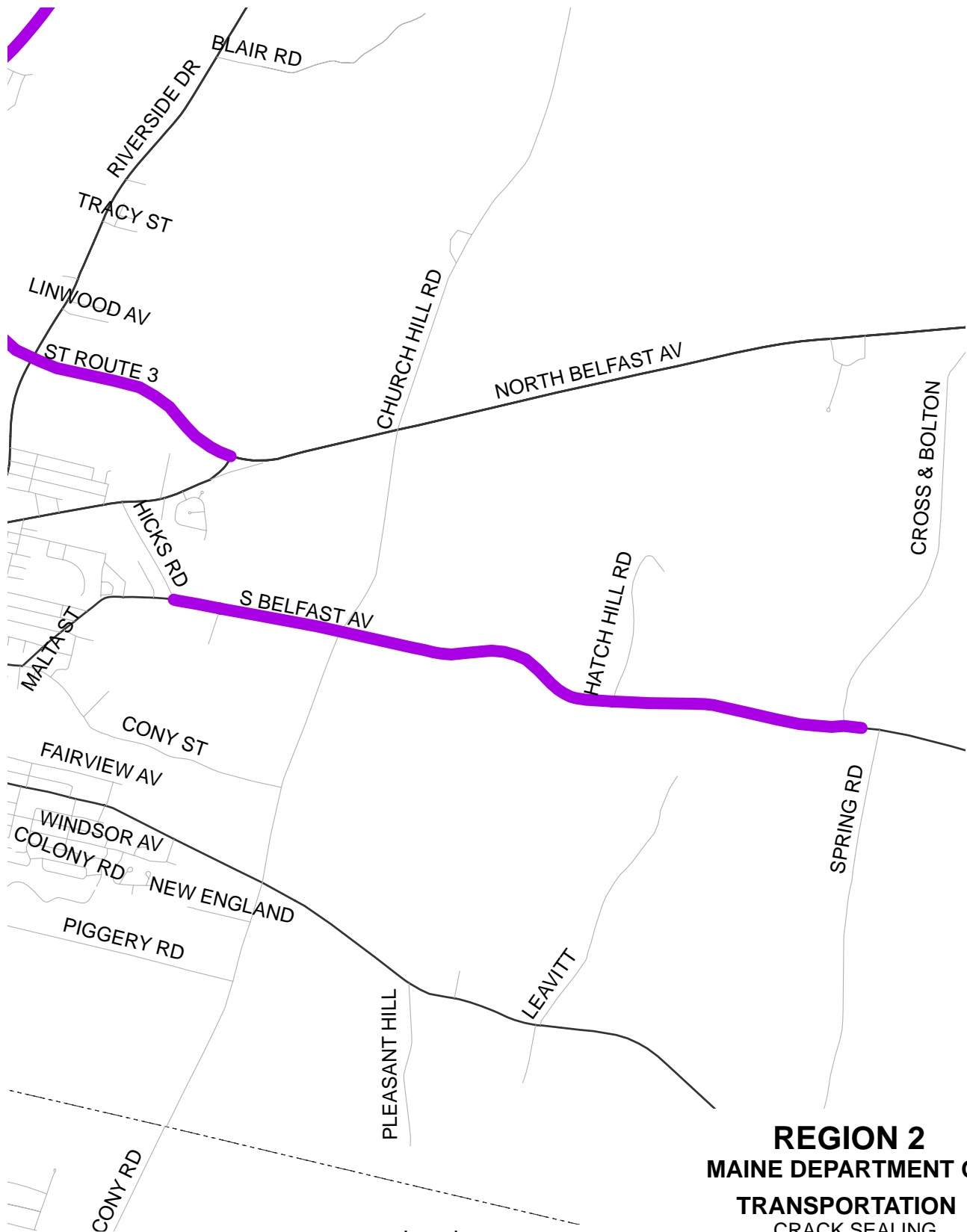
Legend

-  MDOT ROADS
-  PAVEMENT PRESERVATION
-  OTHER PUBLIC ROADS
-  PROJECT SEPARATIONS
-  REGIONS



0.0 0.1 0.2 0.3 0.4 0.5 0.6 0.7 0.8





REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

SECTION 7
 AUGUSTA
 2.81 MILES

SOUTH BELFAST AVE

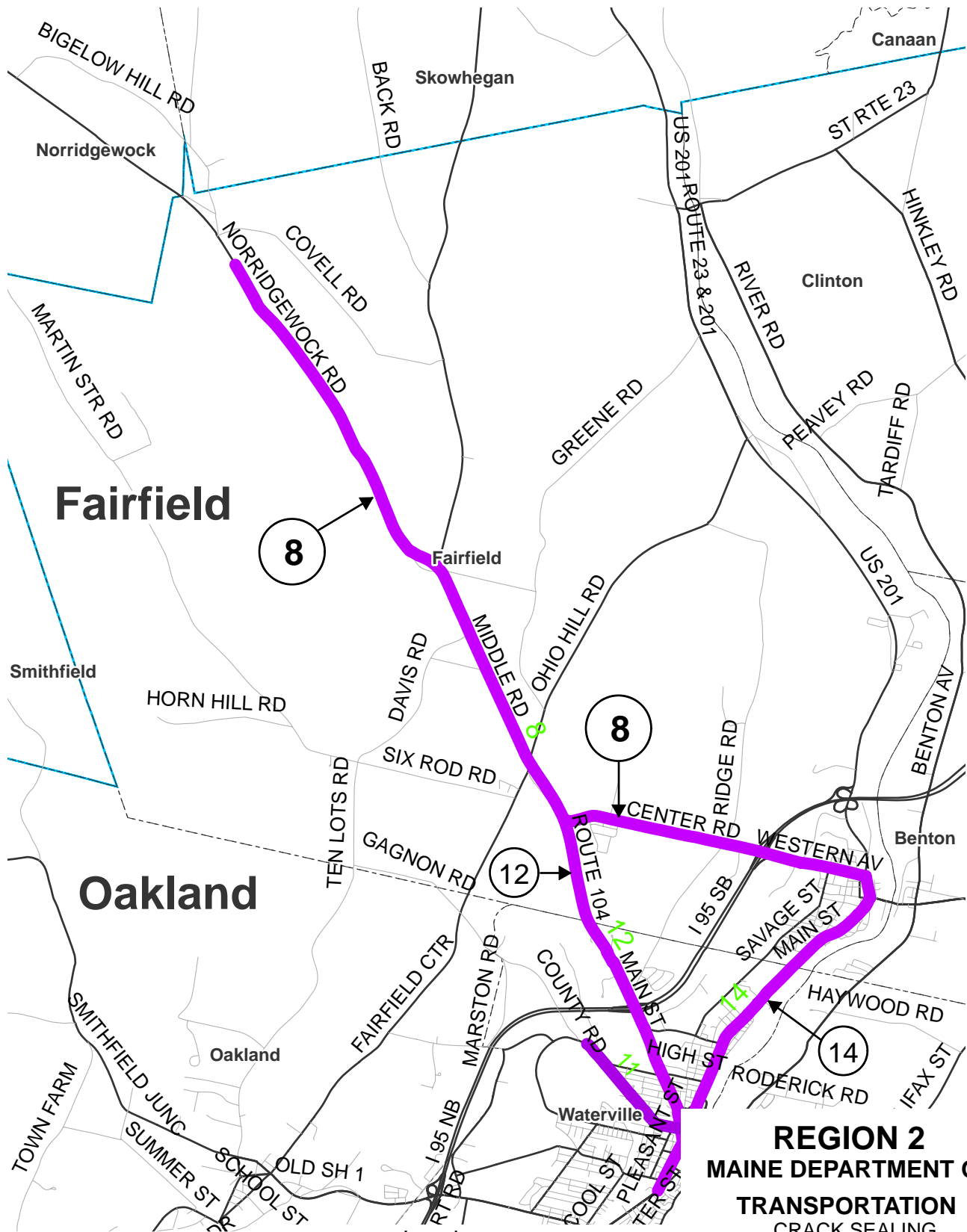


Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS

000060203203364248





Fairfield

Oakland

**REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 8
FAIRFIELD
9.42 MILES

RTE 139

- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS



0.0 0.2 0.4 0.6 0.8
Miles

West Gardiner

Gardiner

Pittston

Richmond

Dresden

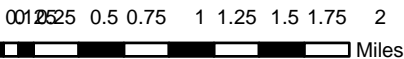
REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

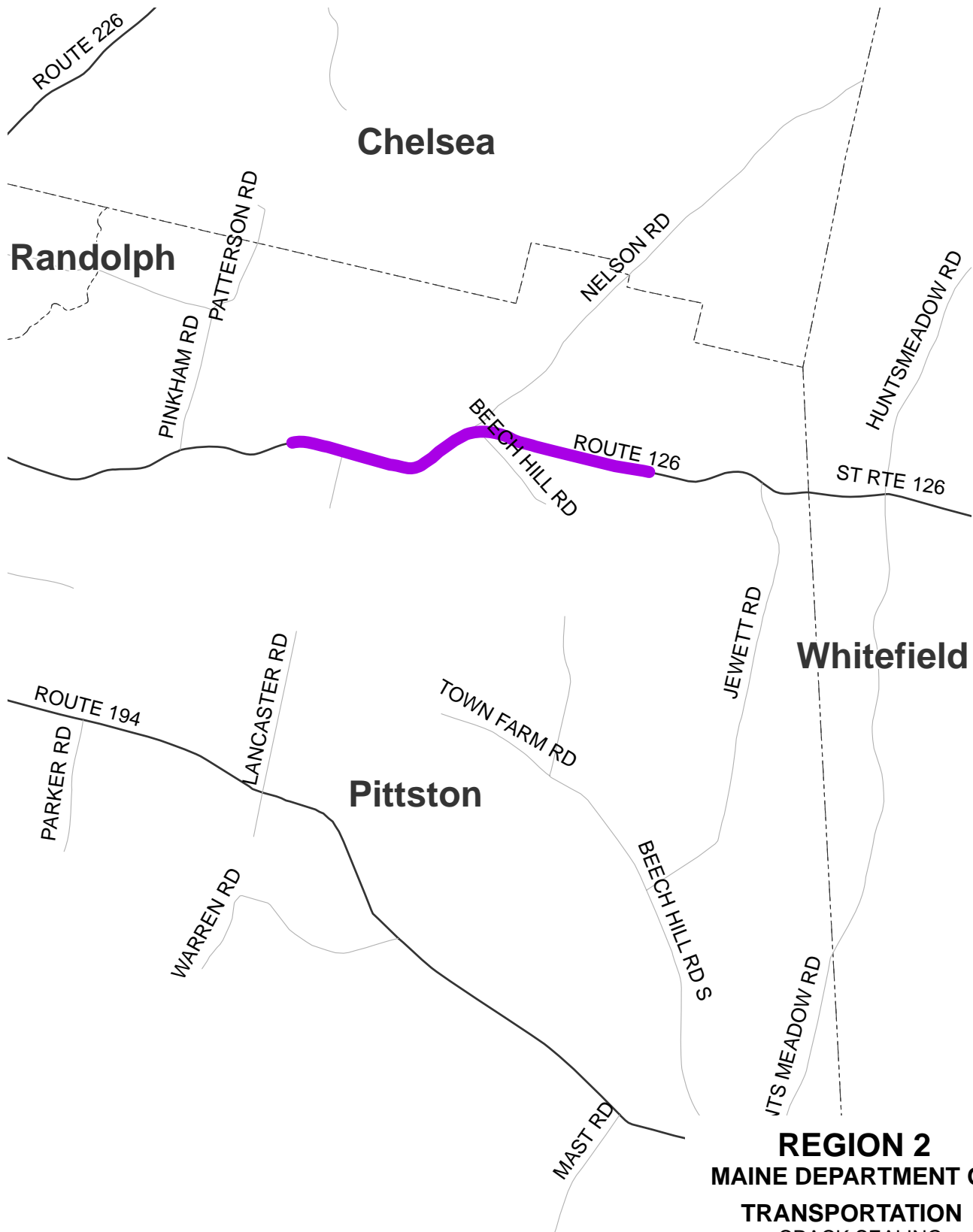
SECTION 9
PITTSION
3.64 MILES

RTE 27

Legend

-  MDOT ROADS
-  OTHER PUBLIC ROADS
-  PAVEMENT PRESERVATION
-  PROJECT SEPARATIONS
-  REGIONS





**REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 10
PITSTON
1.61 MILES

RTE 126

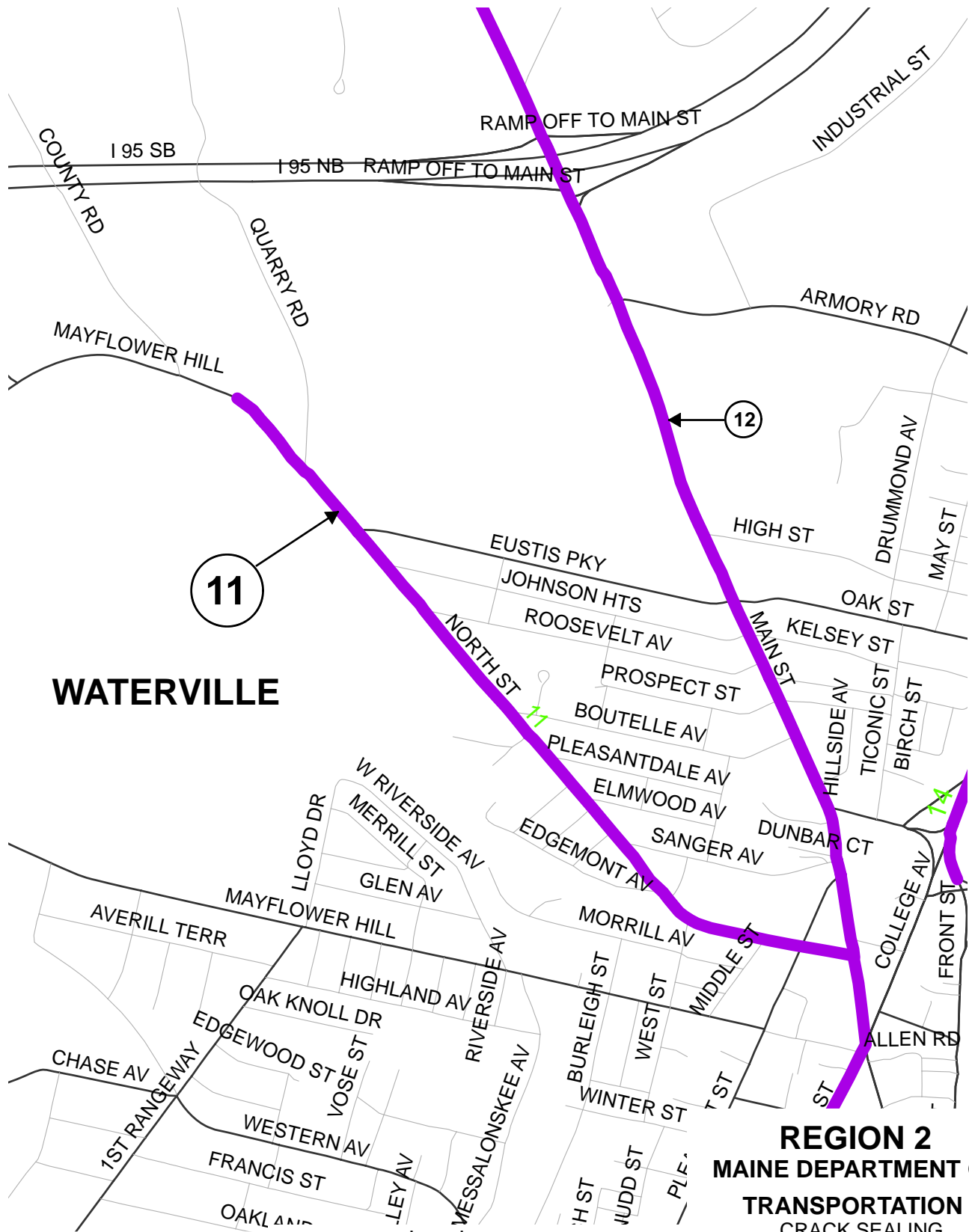
Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



0 0.1 0.2 0.3 0.4 0.5 0.6 0.7 0.8





11

12

WATERVILLE

**REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

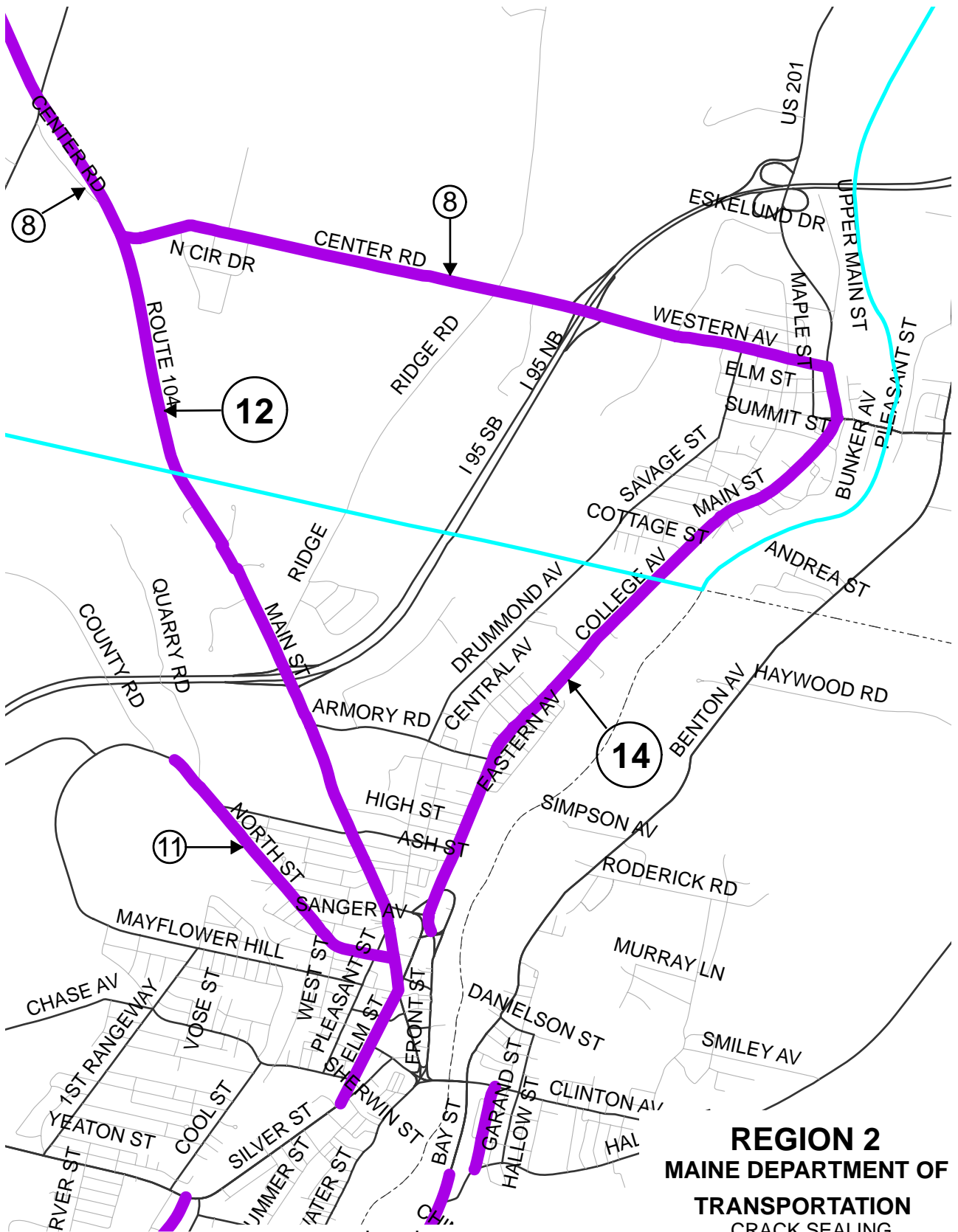
SECTION 11
WATERVILLE
1.29 MILES

NORTH ST

- Legend
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS

0.00250.5761.125.576.2

Miles



**REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

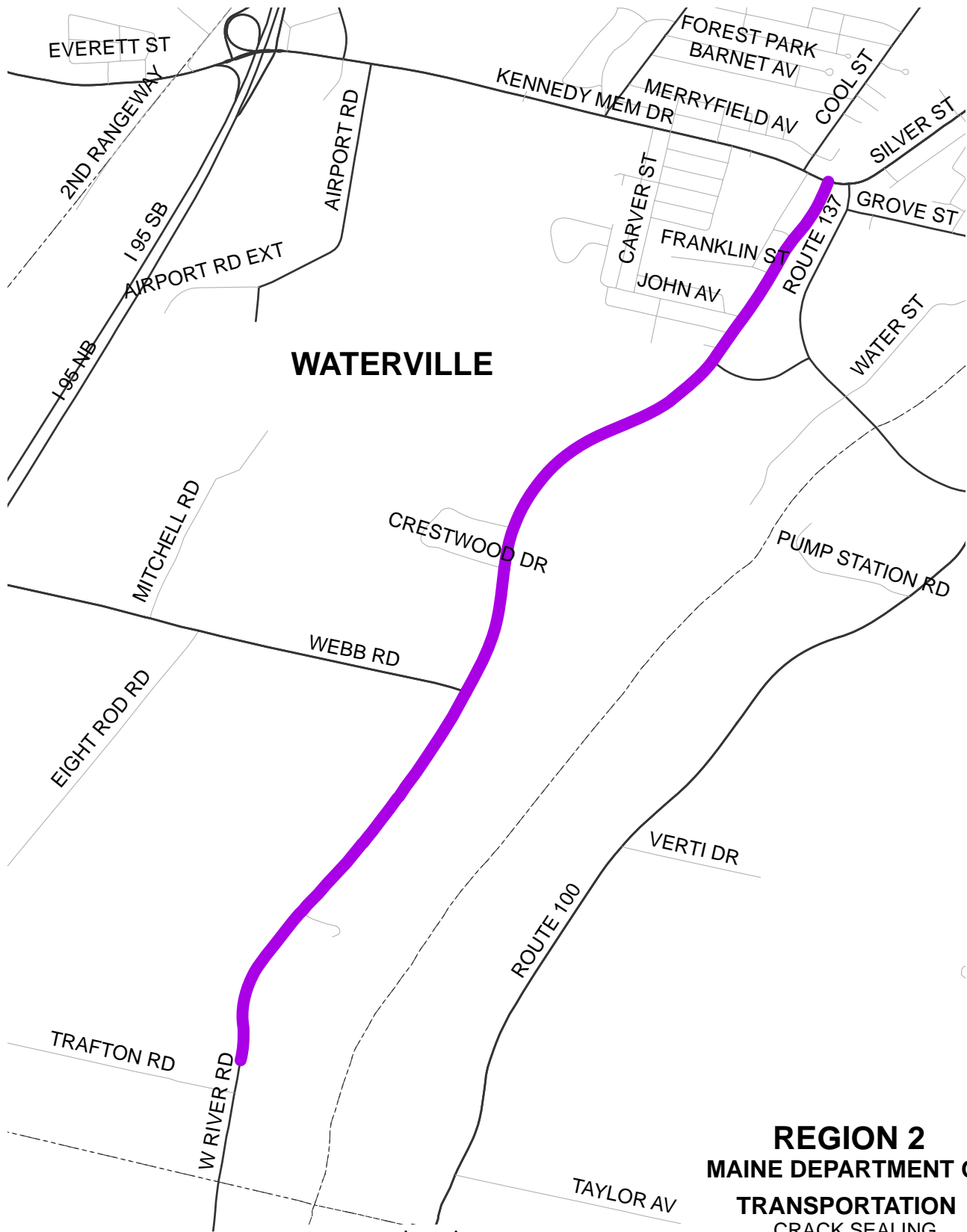
SECTIONS 12 AND 14
FAIRFIELD-WATERVILLE
7.01 MILES

RTE 104 AND RTE 201

- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS



0.0337 14.21.28.35.42.49.56
Miles



WATERVILLE

**REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 13
WATERVILLE
2.90 MILES

RTE 104

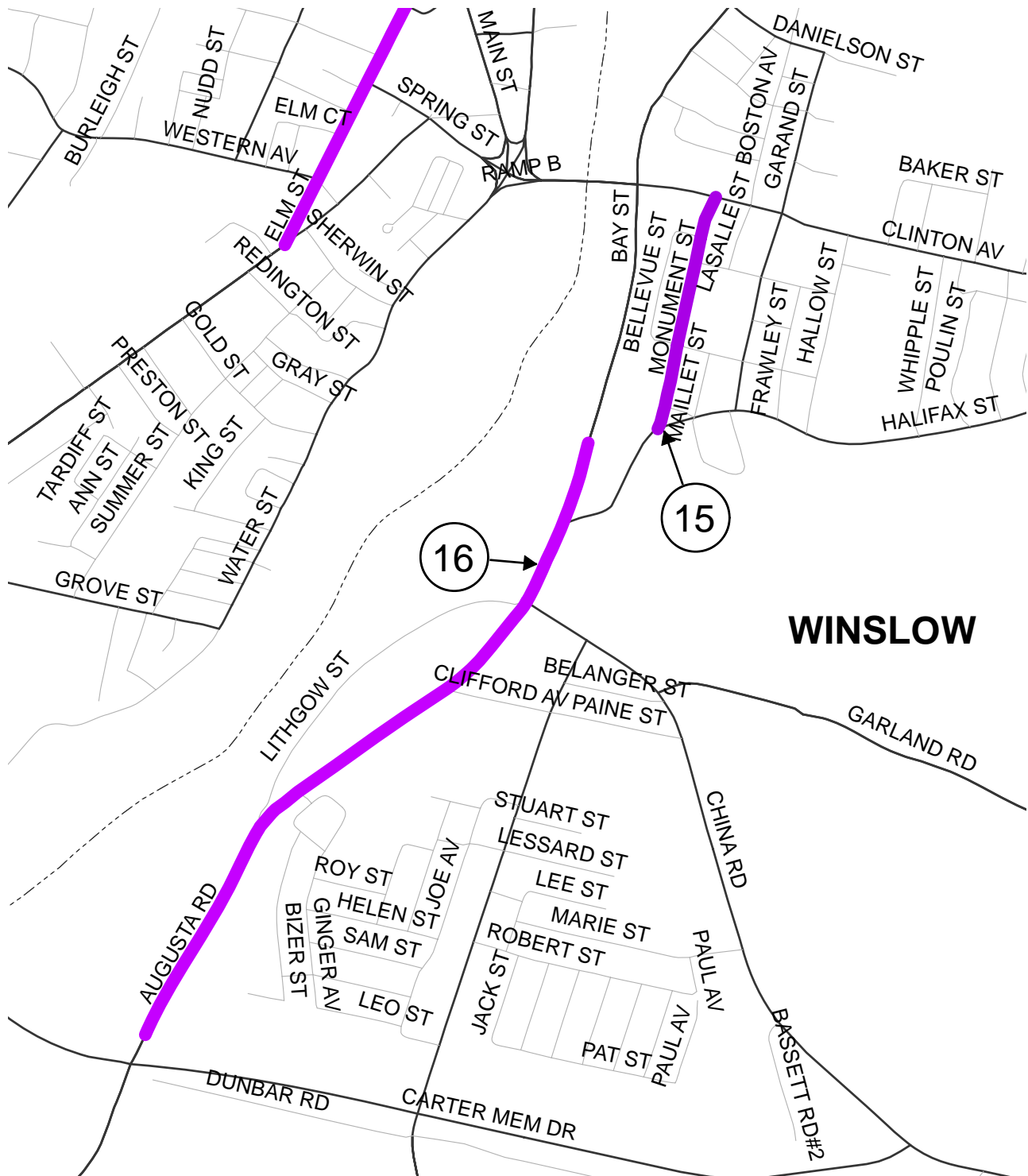


Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS

0.00 0.09 0.18 0.27 0.36 0.45 0.54 0.63 0.72





WINSLOW

**REGION 2
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTIONS 15 AND 16
WINSLOW
1.51 MILES

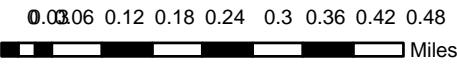
RTE 201 AND MONUMENT ST

16

15

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION



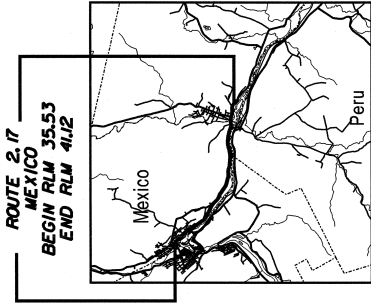
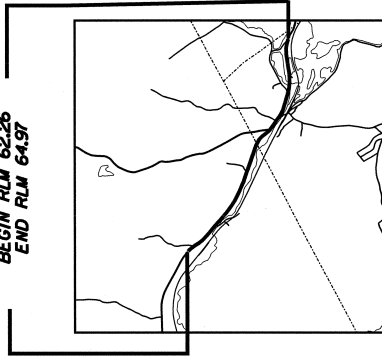
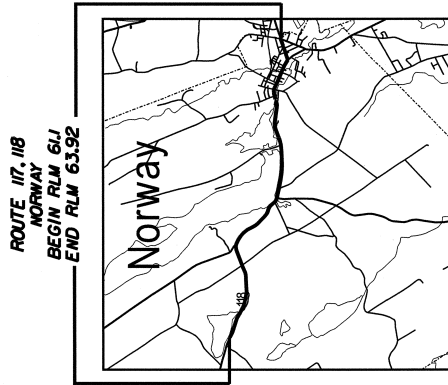
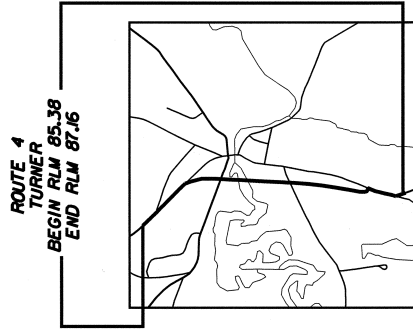
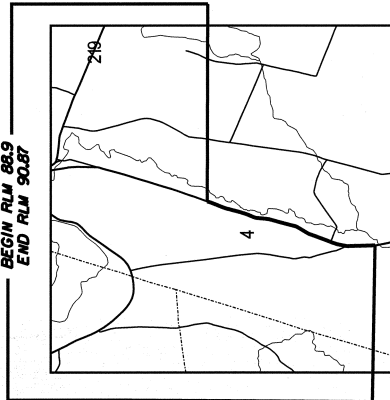
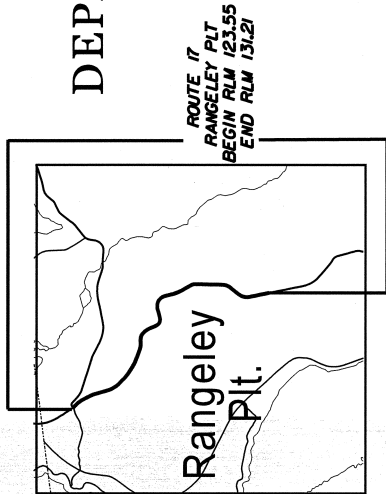
REGION 3

ANDROSCOGGIN, FRANKLIN & OXFORD COUNTIES

ROUTES 2, 4, 17, 26, 117 & 118

STATE PROJECT NO. 15961.03

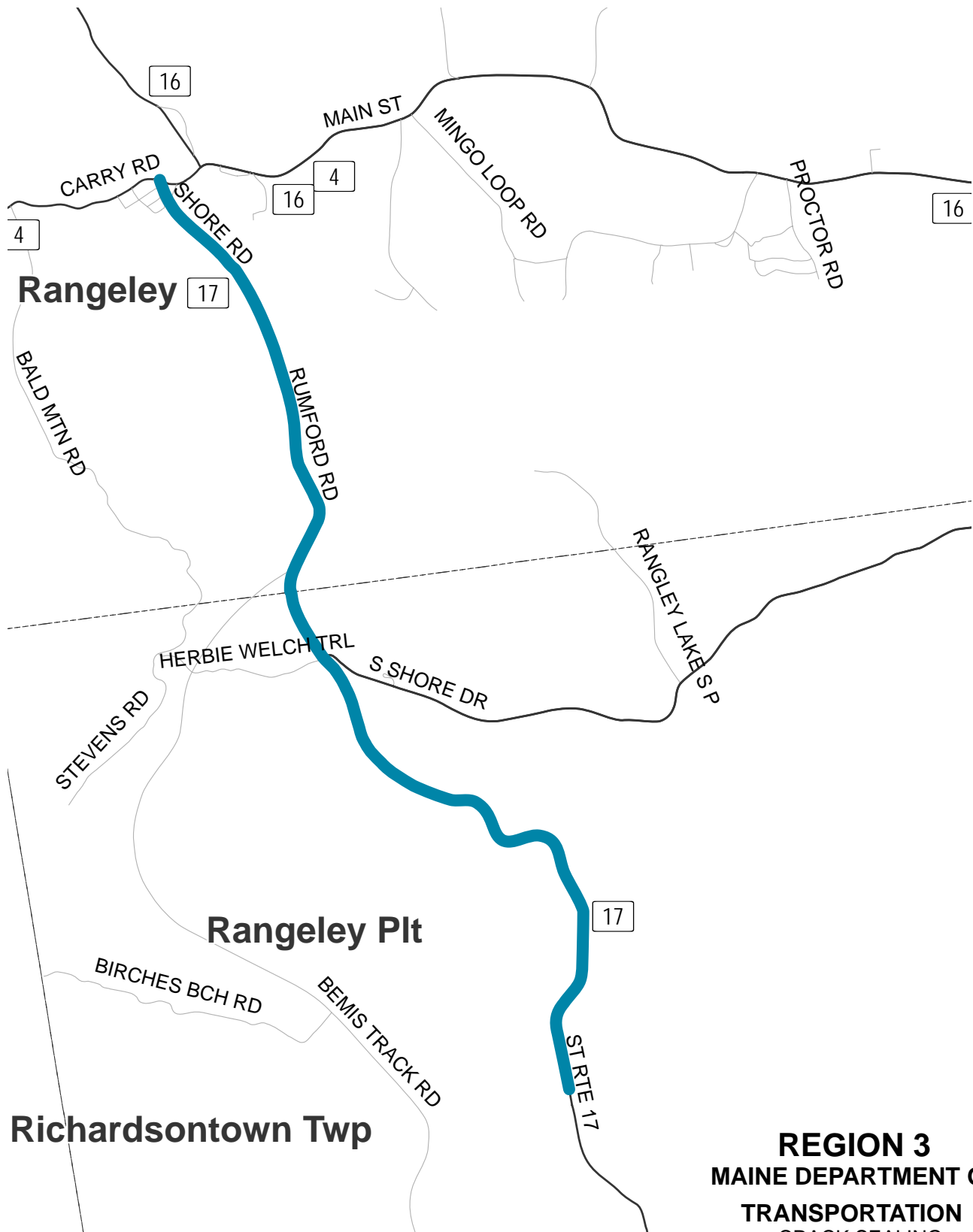
PROJECT LENGTH: 22.530 MILES
HIGHWAY PRESERVATION
CRACK SEAL-REGION WIDE



PROJECT INFORMATION PROJECT NUMBER: 15961.03 PROJECT RESIDENT: REGION 3 CONTRACTOR: PIN 15961.03 PROJECT COMPLETION DATE:		TITLE SHEET ROUTES 2, 4, 17, 26, 117 & 118 REGION 3
PROJECT INFORMATION PROJECT NUMBER: 15961.03 PROJECT RESIDENT: REGION 3 CONTRACTOR: PIN 15961.03 PROJECT COMPLETION DATE:		SHEET NUMBER 1 OF 1

DEPARTMENT OF TRANSPORTATION STATE OF MAINE APPROVED: [Signature] DATE: 2/12/08	PROFESSIONAL ENGINEER STATE OF MAINE [Seal]
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Section #	Rte #	Town	Description	Length
1	17	Rangeley Plt, Rangeley	Begin 2.54 miles north of the Township D -Rangeley Plt Town line extending northerly miles to Rte 4	7.66
2	117, 118	Norway	Begin 0.12 miles south of Yeager Rd extending northerly 2.82 miles to the Norway - Paris town line	2.82
3	26	Greenwood, Bethel	Begin 0.01 miles north of the Greenwood-Woodstock town line extending northerly 2.71 miles to 0.31 miles south of the Chase Rd	2.71
4	2 , 17	Mexico, Dixfield	Begin at the Mexico-Rumford town line extending easterly 5.59 miles to 0.10 miles east of the Hall Hill Rd	5.59
5	4	Turner	Begin 0.16 miles south of County Rd extending northerly 1.78 miles to 0.20 miles north of the Blake Rd	1.78
6	4	Turner	Begin 0.57 miles south of the Harlow Hill Rd extending northerly 1.97 miles.	1.97
Total Miles:				22.53



REGION 3
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

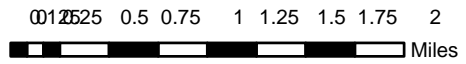
SECTION 1
 RANGELEY PLT/RANGELEY
 7.66 MILES

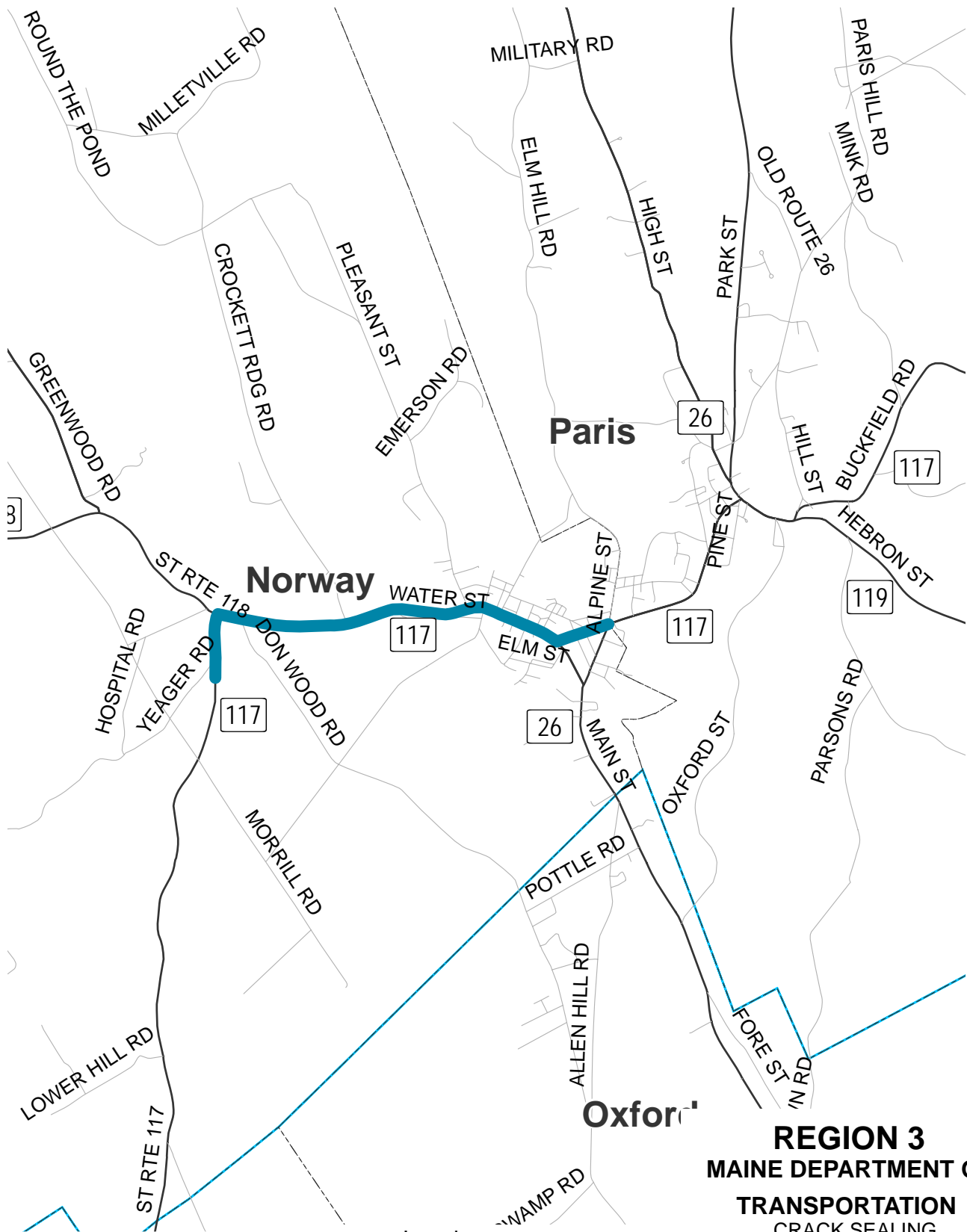
RTE 17



Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



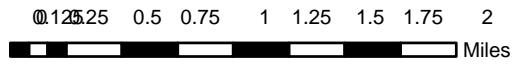


**REGION 3
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 2
NORWAY
2.82 MILES

RTE 117/118

- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS





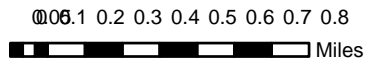
**REGION 3
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

**SECTION 3
GREENWOOD/BETHEL
2.71 MILES**

RTE 26

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



Carthage

Mexico

Dixfield

Rumford

Peru

Milton Twp

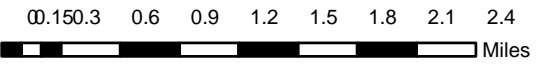
**REGION 3
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 4
MEXICO/DIXFIELD
5.59 MILES

RTE 2

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



Hartford

Buckfield

Turner

Hebron

HARLOW HILL

BEAR POND RD

PLAINS RD

MERRILL MILLS

N PARISH RD

PLEASANT POND

6

GEN TURNER HILL

RICKER HILL RD

WESTON RD

HILLSIDE DR

117

117

7

TURNER ST

NEZINSCOT DR

BUCKFIELD RD

MAGNUM DR

BLAKE RD

TURNER CENT RD

BRYANT RD

5

SNELL HILL RD

DUMP RD

MAIN ST

PEARL

COUNTY RD

AUBURN

**REGION 3
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTIONS 5 AND 6
TURNER
3.75 MILES

RTE 4

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION



REGION 4

PENOBSCOT, PISCATAQUIS, HANCOCK, WASHINGTON COUNTIES

ROUTES 1, 1A, 2, 6, 9, 11, 15, 150, 190, 191

STATE PROJECT NO. 15961.04

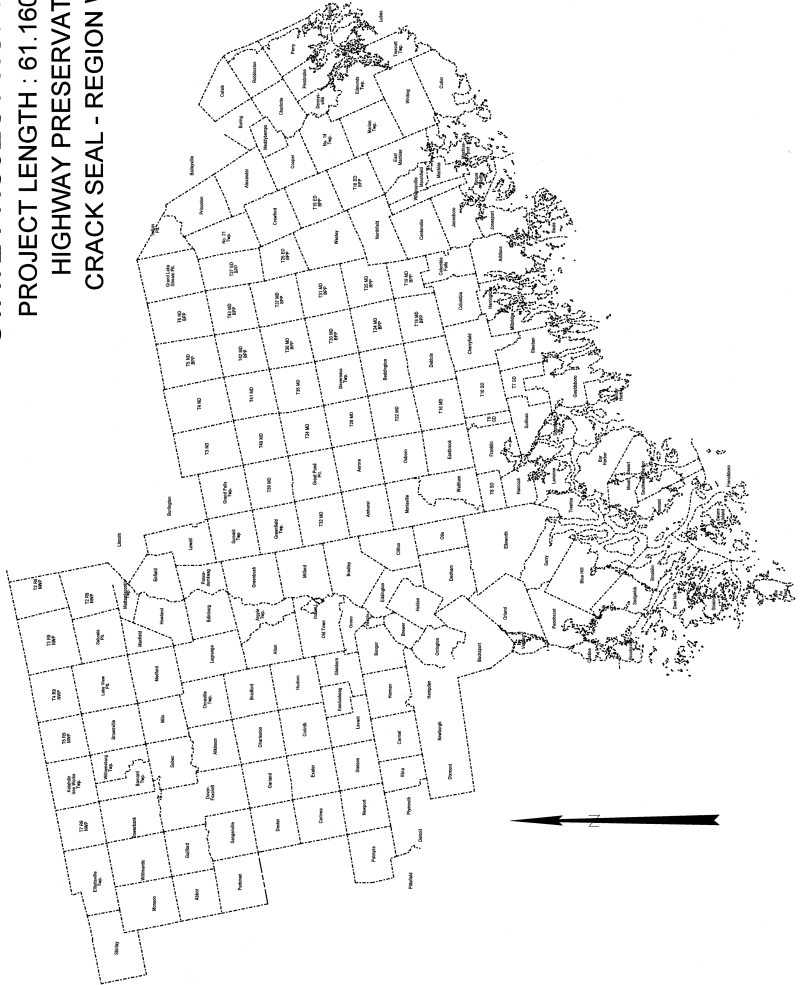
PROJECT LENGTH : 61.160 MILES

HIGHWAY PRESERVATION

CRACK SEAL - REGION WIDE

SECTIONS

- Section 1, Cooper, Rte. 191, 4.57 mi
- Section 2, Parkman, Rte. 150, 3.69 mi
- Section 3, Dover-Foxcroft, Rte. 6/16, 0.94 mi
- Section 4, Edmunds, Rte. 1, 2.18 mi
- Section 5, Harrington, Rte. 1A, 3.03 mi
- Section 6, Milo, Rte. 6/11/16, 1.99 mi
- Section 7, Orrington-Brewer, Rte. 15, 1.47 mi
- Section 8, Passadumkeag, Rte. 2, 2.03 mi
- Section 9, Sullivan, Rte. 1, 8.02 mi
- Section 10, Whitneyville, Rte. 1, 1.05 mi
- Section 11, Aurora-Amherst, Rte. 9, 13.18 mi
- Section 12, Devereaux, Rte. 9, 4.1 mi
- Section 13, Pleasant Point-Eastport-Perry, Rte. 190, 5.17 mi
- Section 14, Robbinston-Calais, Rte. 1, 10.14 mi



PROGRAM	REGION 4
PROJECT NUMBER	J. PIPER
RESOR	D. CAMAVAN
CONSULTANT	
CONTRACTOR	
PROJECT RECIPIENT	
PROJECT COMPLETION DATE	
DATE	2-12-08
P.E. NUMBER	5560
SIGNATURE	<i>James Gaudin</i>

STATE OF MAINE	DEPARTMENT OF TRANSPORTATION
APPROVED	DATE
COMMISSIONER	2/12/08
CHIEF ENGINEER	

REGION 4	TITLE SHEET
ROUTES 1, 1A, 2, 6, 9, 11, 15, 150, 190, 191	

SHEET NUMBER	1
OF 1	

15961.04 PIN 15961.04

REGION 4

CRACK SEAL 2008

PIN 15961.04

<u>Section #</u>	<u>Route #</u>	<u>Town(s)</u>	<u>Description</u>	<u>Length</u>
1	191	Cooper	Beginning 0.57 of a mile south of East Ridge Road and extending northerly 4.57 miles to 0.02 of a mile south of Green Hill Road.	4.57
2	150	Parkman	Beginning 0.39 of a mile northerly of Wellington Road and extending northerly 3.29 miles to 0.65 of a mile south of Harlow Pond Road.	3.29
3	6/16	Dover-Foxcroft	Beginning at North Street and extending easterly 0.94 of a mile to 0.15 of a mile east of Free Street.	0.94
4	1	Edmunds	Beginning 3.00 miles north of Route 189 and extending northerly 2.18 miles.	2.18
5	1A	Harrington	Beginning 0.25 of a mile south of Dorman Road and extending northerly 3.03 miles to Route 1.	3.03
6	6/11/16	Milo	Beginning at the DOT Rd and extending easterly 1.99 miles to 0.15 of a mile east of the easternmost intersection of Dunham Road.	1.99
7	15	Orrington,Brewer	Beginning 0.01 of a mile south of Harrison Avenue and extending northerly 1.47 miles to 0.01 of a mile south of Abbot Street.	1.47
8	2	Passadumkeag	Beginning 0.10 miles southerly of the Pleasant St. and extending easterly 2.03 miles to 1.10 miles west of the Passadumkeag-Enfield town line.	2.03
9	1	Sullivan	Beginning 0.12 of a mile north of Punkinville Road and extending northerly 8.02 miles to 0.07 of a mile south of Dyer Road.	8.02
10	1	Whitneyville	Beginning at the Machias-Whitneyville town line and extending northerly 1.05 miles to 0.33 of a mile south of Kennebec Road.	1.05
11	9	Aurora,Amherst	Beginning 0.10 of a mile easterly of the Clifton-Amherst town line and extending easterly 13.18 miles to 3.10 miles easterly of Richardson Road.	13.18
12	9	Devereaux	Beginning 0.95 of a mile west of the Devereaux Township-T30 MD BPP town line and extending easterly 4.10 miles.	4.10
13	190	Pleasant Point,Eastport,Perry	Beginning at Route 1 and extending southerly 5.17 miles to 0.14 of a mile north of Deep Cove Road.	5.17
14	1	Robbinston,Calais	Beginning 2.22 miles north of Ridge Road and extending northerly 10.14 miles to 0.06 of a mile south of Steamboat St.	10.14
Total Miles:				61.16

RTE. 9

ALEXANDER

MEDDYBEMPS

GREEN HILL RD.

END PROJECT
SECTION I
RLM 53.23

RTE 191

START PROJECT
SECTION I
RLM 48.66

COOPER RD.

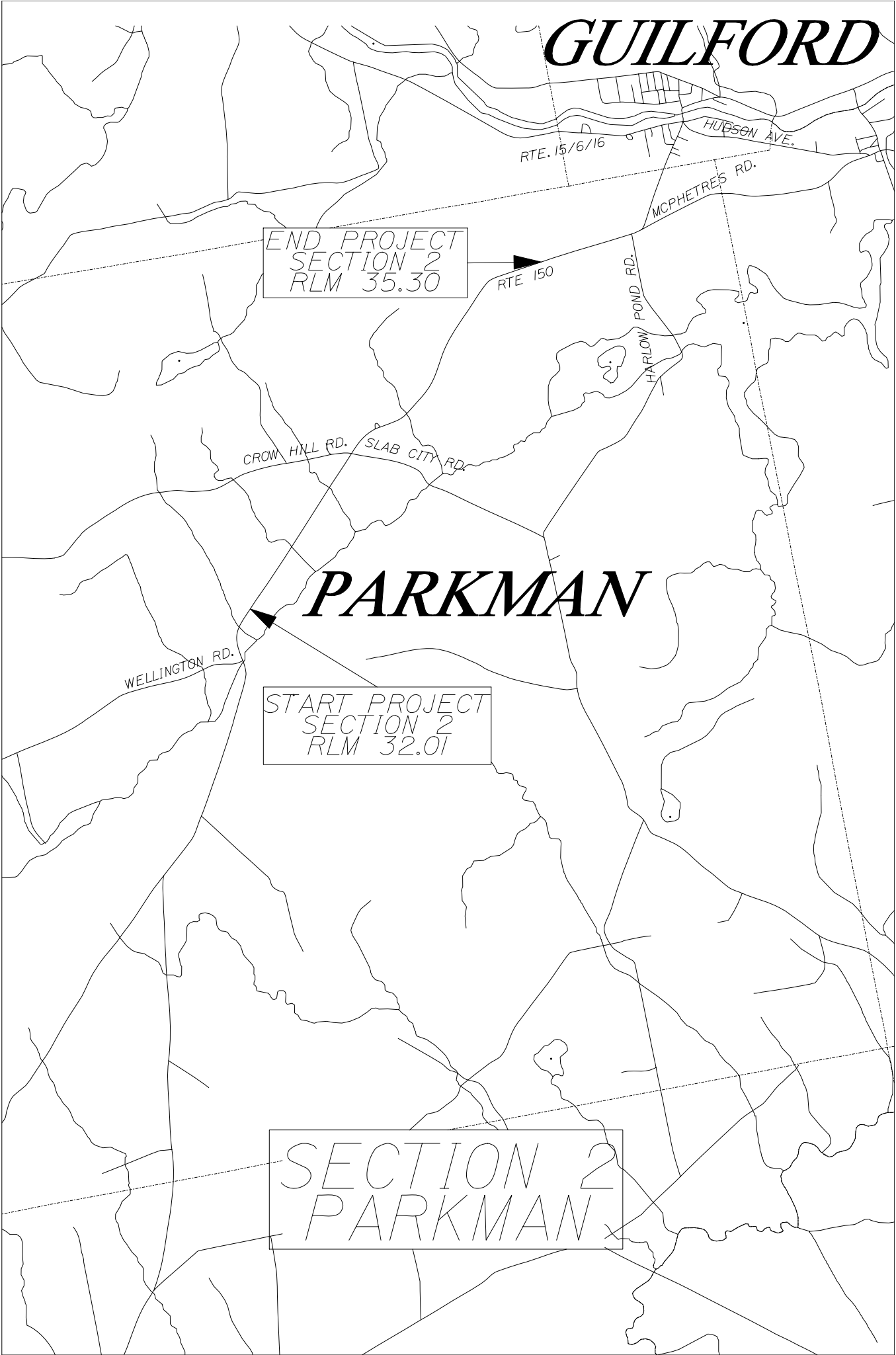
BREAKNECK RD.

EAST RIDGE RD.

COOPER

SECTION I
COOPER

GUILFORD



END PROJECT
SECTION 2
RLM 35.30

RTE 150

CROW HILL RD. SLAB CITY RD.

PARKMAN

WELLINGTON RD.

START PROJECT
SECTION 2
RLM 32.01

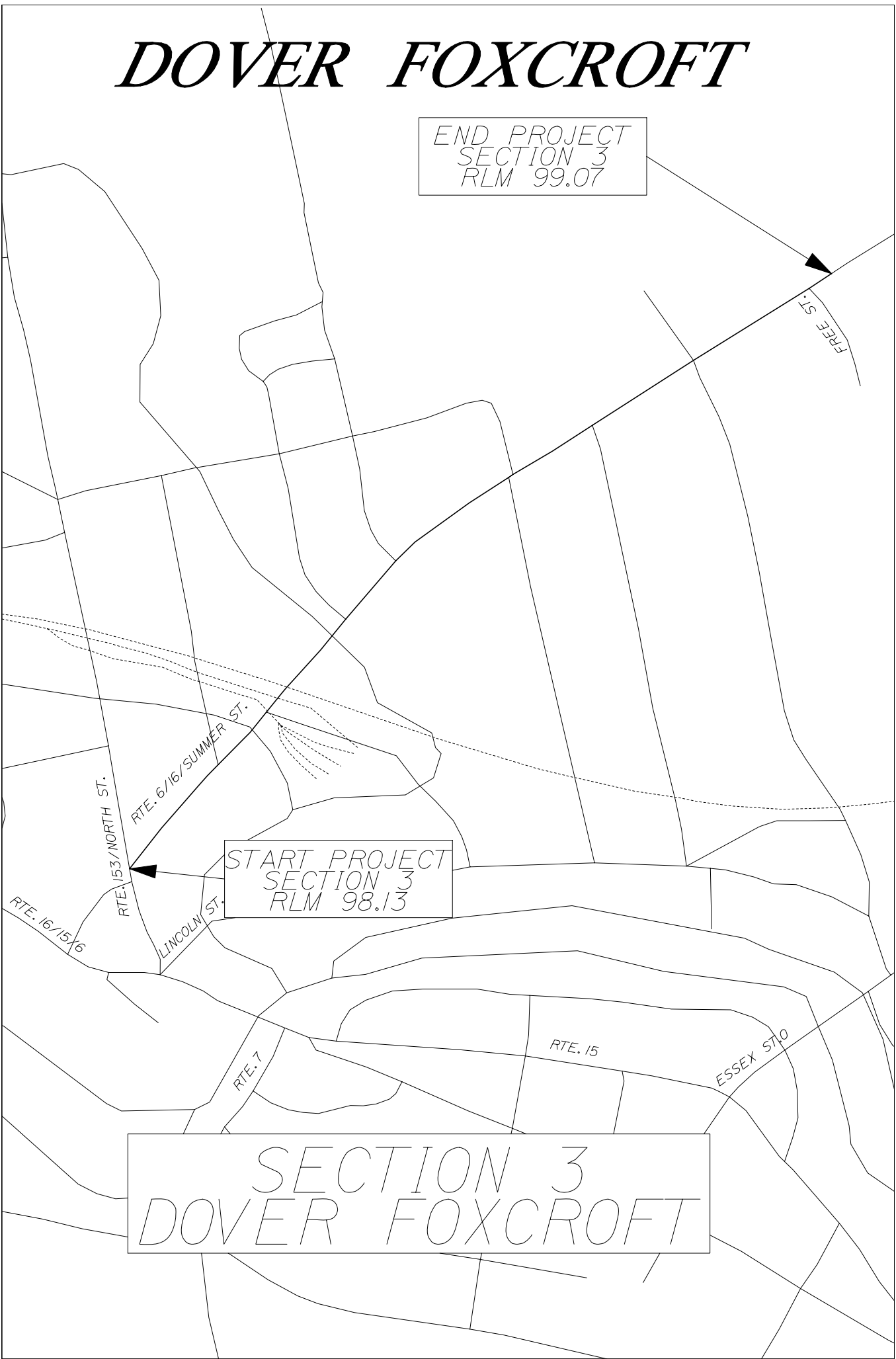
SECTION 2
PARKMAN

DOVER FOXCROFT

END PROJECT
SECTION 3
RLM 99.07

START PROJECT
SECTION 3
RLM 98.13

SECTION 3
DOVER FOXCROFT



SECTION 4
EDMUNDS TWP.

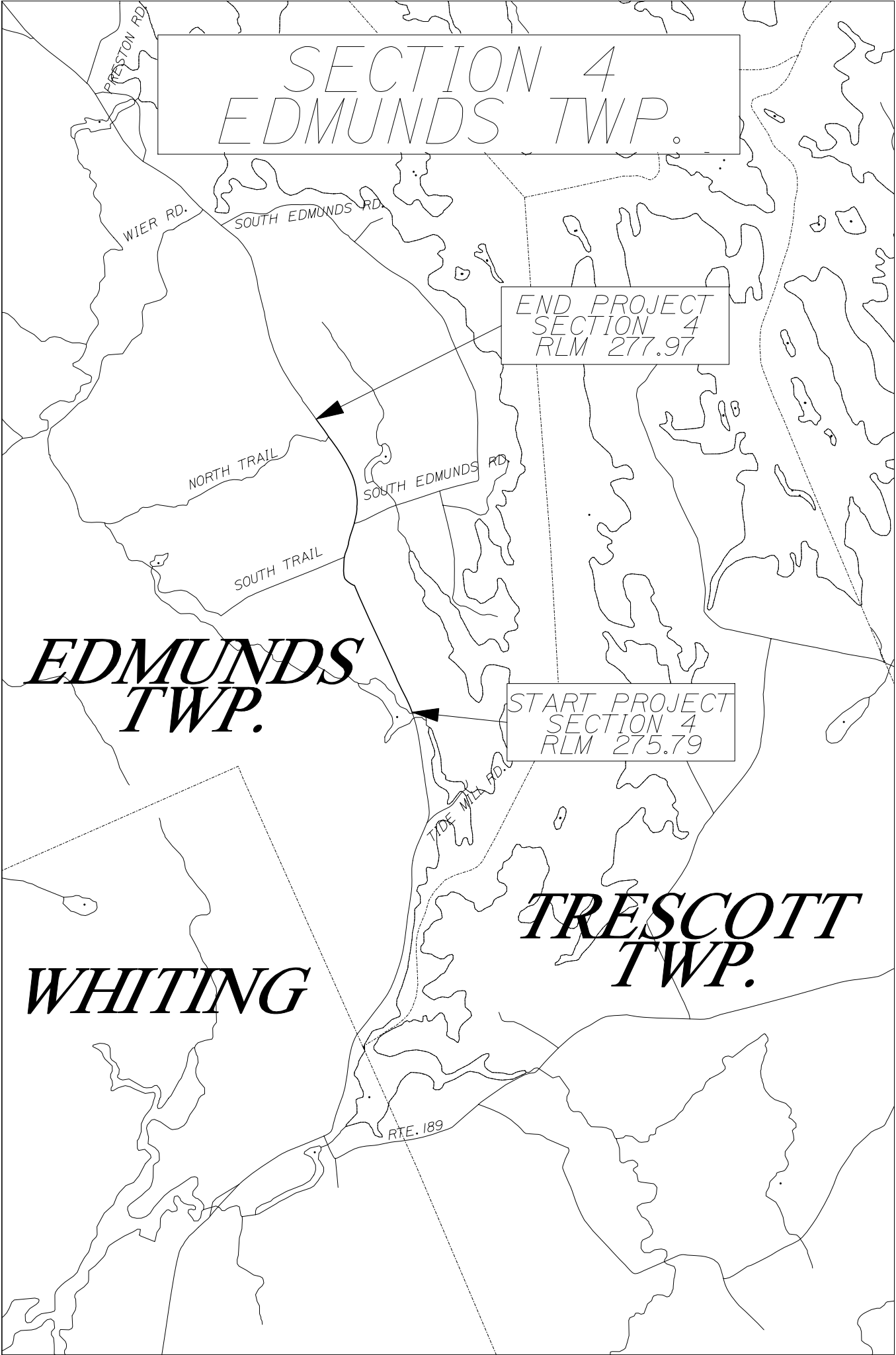
END PROJECT
SECTION 4
RLM 277.97

START PROJECT
SECTION 4
RLM 275.79

**EDMUNDS
TWP.**

**TRESCOTT
TWP.**

WHITING



HARRINGTON

END PROJECT
SECTION 5
RLM 71.82

START PROJECT
SECTION 5
RLM 68.79

SECTION 5
HARRINGTON

DORMAN RD.

OAK POINT RD.

MILL ST.

PINED POINT RD.

MILO

START PROJECT
SECTION 6
RLM 112.07

DOT RD.

DUNHAM RD.

PADDY HILL RD.

JIMMY DEAN RD.

END PROJECT
SECTION 6
RLM 114.06

SECTION 6
MILO

395

ABBOT ST.

END PROJECT
SECTION 7
RLM 58.22

BREWER

ROOSEVELT AVE.
MCKINLEY AVE.
CLEVELAND AVE.
HARRISON AVE.

START PROJECT
SECTION 7
RLM 56.75

SECTION 7
ORRINGTON

ORRINGTON

ENFIELD

END PROJECT
SECTION 8
RLM 176.56

CARIBOU RD.

UNION ST.

PLEASANT ST.

***PASSA-
DUMKEAG***

START PROJECT
SECTION 8
RLM 174.53

SECTION 8
PASSADUMKEAG

GREENBUSH

CHICKEN MILL POND RD.

DEER RD.

END PROJECT
SECTION 9
RLM 214.09

GOULDSBORO

SULLIVAN

START PROJECT
SECTION 9
RLM 206.07

SORRENTO

PUNKINVILLE RD.

SECTION 9
SULLIVAN

END PROJECT
SECTION 10
RLM 254.44

**WHITNEY-
VILLE**

START PROJECT
SECTION 10
RLM 253.39

KENNEBEC RD.

MACHIAS

JONESBORO

GREAT COVE RD.

**ROQUE
BLUFFS**

SECTION 10
WHITNEYVILLE

END PROJECT
SECTION II
RLM 225.33

AURORA

OSBORN

SECTION II
AMHEARST-
AURORA

GREAT POND RD.

RICHARDSON RD.

SMITH RD.

TAMMERY LPOD

MCDONALD RD.

MARIAVILLE

AMHERST

START PROJECT
SECTION II
RLM 212.15

*T30 MD
BPP*

END PROJECT
SECTION 12
RLM 244.57

*T24 MD
BPP*

*DEVERAUX
TWP*

*BEDDING-
TON*

START PROJECT
SECTION 12
RLM 240.47

SECTION 12
DEVERAUX

PERRY

START PROJECT
SECTION 13
RLM 0.00

SHORE RD.

**PLEASANT
POINT
RES.**

END PROJECT
SECTION 13
RLM 5.17

TOLL BRIDGE RD.

REDOUBT RD.

EASTPORT

SECTION 13
PLEASANT PT.

DRUMMOND RD.

STEAMBOAT ST.

END PROJECT
SECTION 14
RLM 312.11

HARDSCRABBLE RD.

CARSON RD.

CALAIS

SHATTUCK RD.

START PROJECT
SECTION 14
RLM 301.97

NO. 3 RD.

ROBBINSTON

SECTION 14
ROBBINSTON

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION



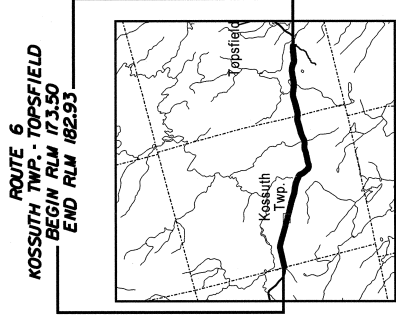
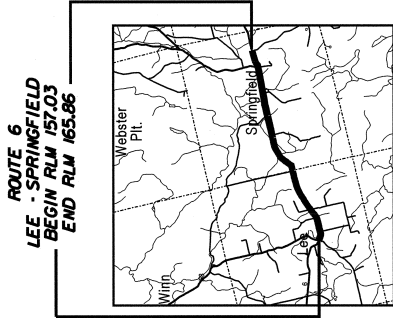
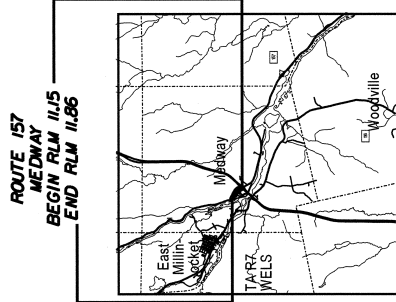
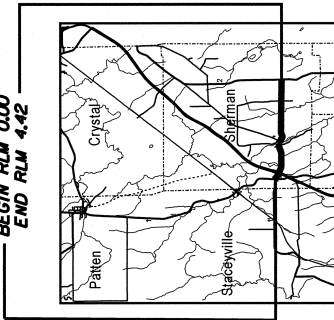
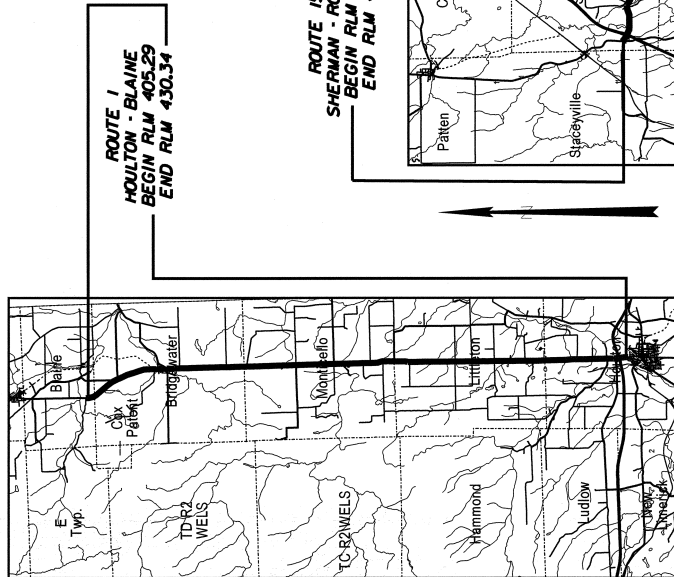
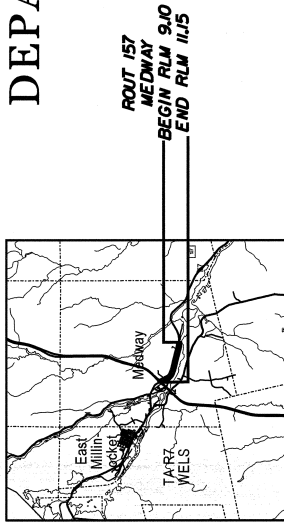
REGION 5

AROOSTOOK, PENOBSCOT & WASHINGTON COUNTIES

ROUTES: 1, 6, 157, 158

STATE PROJECT NO. 15961.05

PROJECT LENGTH : 50.490 MILES
HIGHWAY PRESERVATION
CRACK SEAL -REGION WIDE

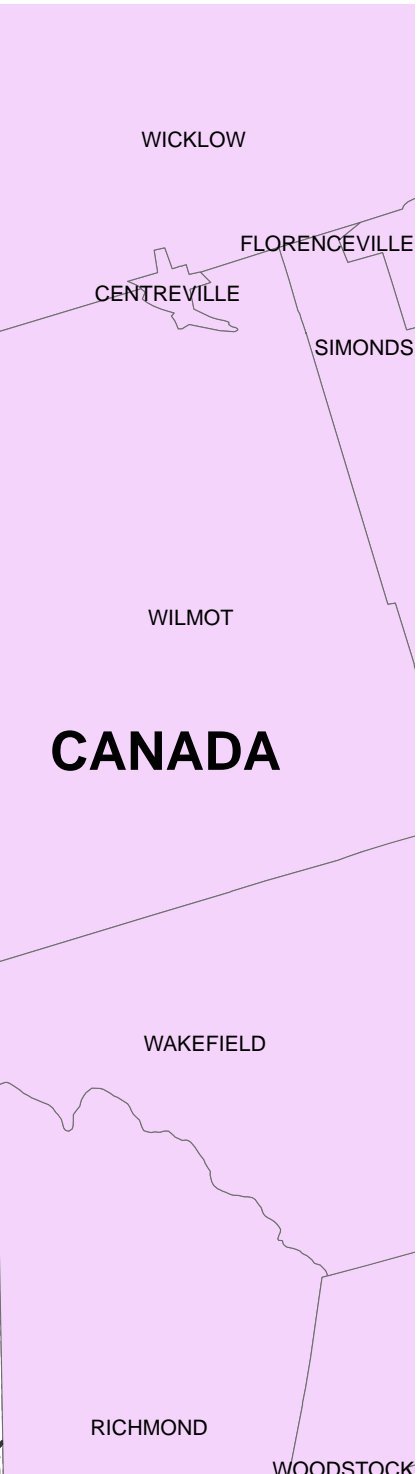
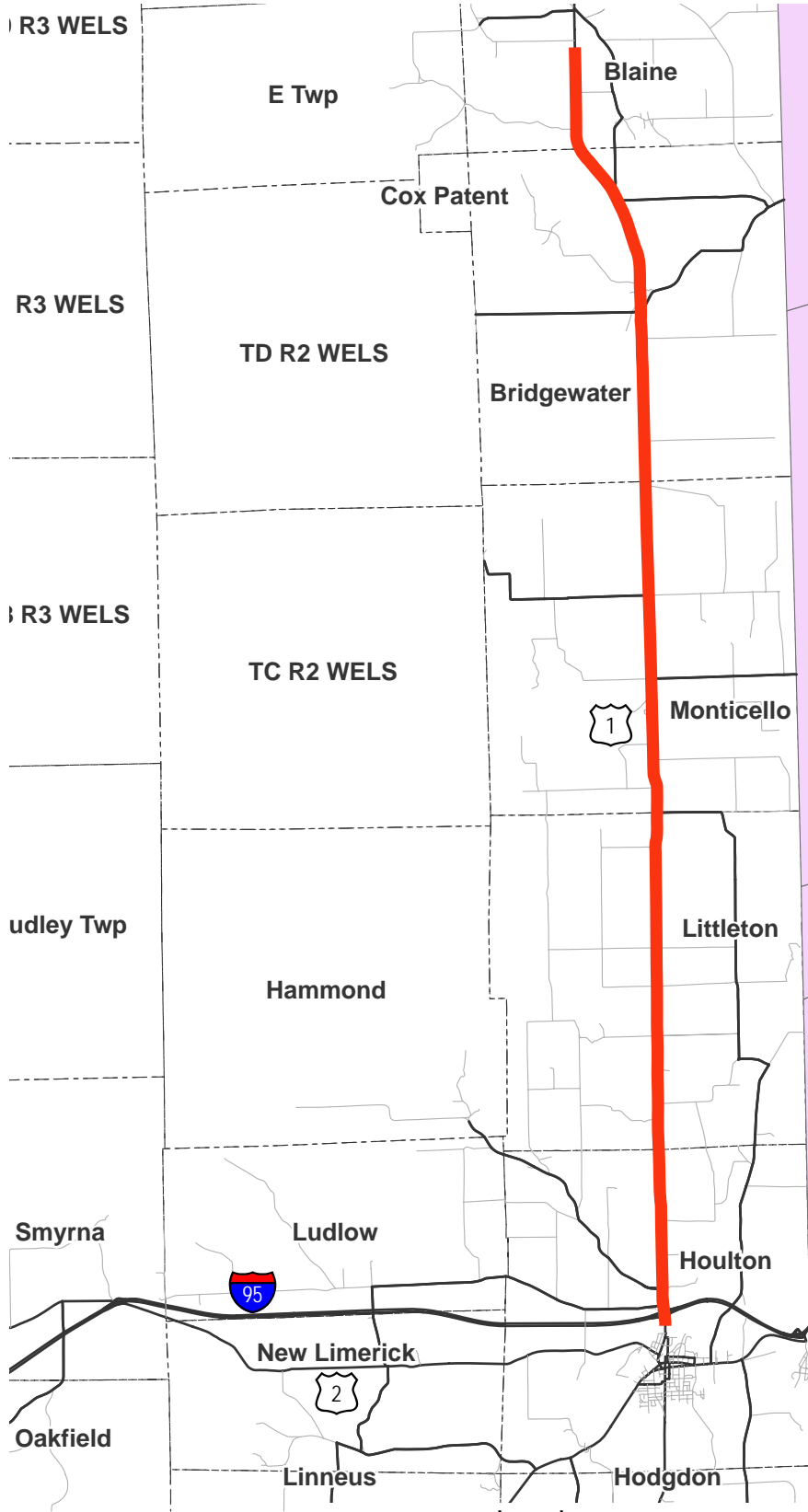


DEPARTMENT OF TRANSPORTATION APPROVED: _____ COMMISSIONER: _____ DATE: 2/12/08 CHIEF ENGINEER: _____		PROJECT INFORMATION PROGRAM: HIGHWAY PROJECT MANAGER: JON BRYER DESIGNER: PETER GUILLETTE P.E. NUMBER: 5500 DATE: 2/12/08	REGION 5 ROUTES: 1, 6, 157, 158 TITLE SHEET	SHEET NUMBER: 1 OF 1
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PIN 15961.05 015961.05

REGION 5**CRACK SEAL 2008****PIN 15961.05**

<u>Section #</u>	<u>Route #</u>	<u>Town(s)</u>	<u>Description</u>	<u>Length</u>
1	Rte 1	Houlton to Blaine	Beginning 0.15 of a mile northerly of Putnam Avenue and extending northerly 25.05 miles to 0.13 of a mile southerly of Bubar Road.	25.05
2	Rte 158	Sherman	Beginning at Island Falls Road and extending westerly 4.42 miles to Grindstone Road.	4.42
3	Rte 6	Lee to Springfield	Beginning at Arab Road and extending easterly 8.83 miles to 0.04 of a mile westerly of Bottle Lake Road.	8.83
4	Rte 157	Medway	Beginning 3.04 miles westerly of the Molunkus TWP town line and extending westerly 2.05 miles to 0.10 of a mile westerly of the Interstate 95 north bound Exit 244 ramps	2.05
5	Rte 157	Medway	Beginning 0.10 of a mile southerly of the Interstate 95 southbound Exit 244 ramps and extending westerly 0.71 of a mile to Route 11.	0.71
6	Rte 6	Kossuth Twp to Topsfield	Beginning 0.03 of a mile easterly of the Carroll Plantation-Kossuth Township town line and extending easterly 9.43 miles to 2.50 miles easterly of the Kossuth Township-Topsfield town line.	9.43
Total Miles:				50.49



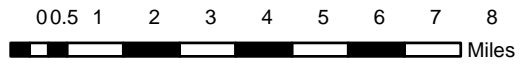
**REGION 5
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

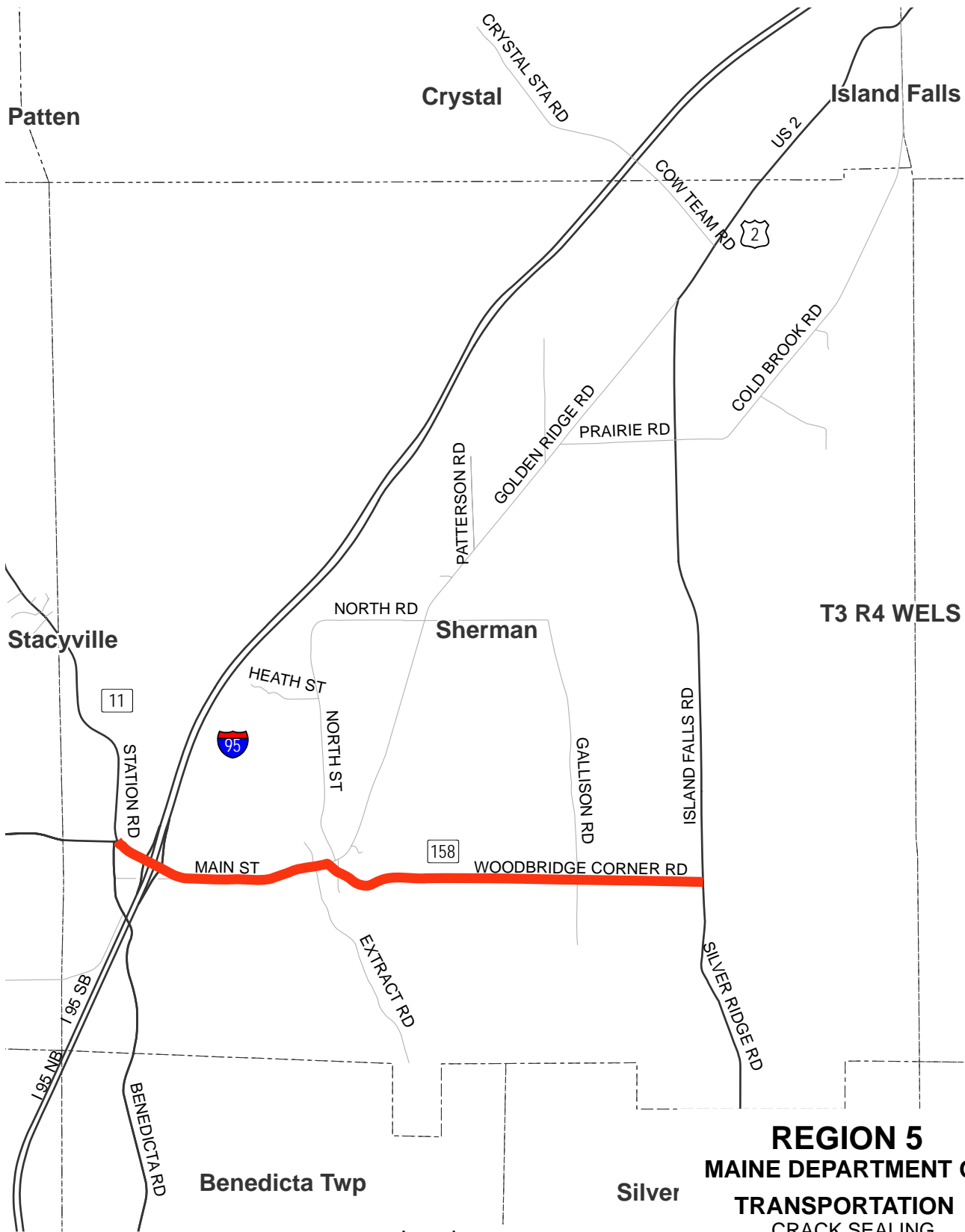
SECTION 1
HOULTON TO BLAINE
25.05 MILES

ROUTE 1



- Legend**
- MDOT ROADS
 - OTHER PUBLIC ROADS
 - PAVEMENT PRESERVATION
 - PROJECT SEPARATIONS
 - REGIONS





T3 R4 WELS

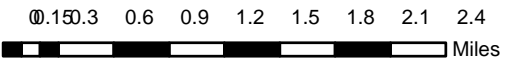
REGION 5
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING

SECTION 2
 SHERMAN
 4.42 MILES

ROUTE 158

Legend

- MDOT ROADS
- OTHER PUBLIC ROADS
- PAVEMENT PRESERVATION
- PROJECT SEPARATIONS
- REGIONS



Mattawamkeag

Prentiss Twp T7 R3 NBPP

Webster Plt

Winn

Carroll Plt

Springfield

Lee

Lincoln

Lakeville

T3 R1 NBPP

Burlington

**REGION 5
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

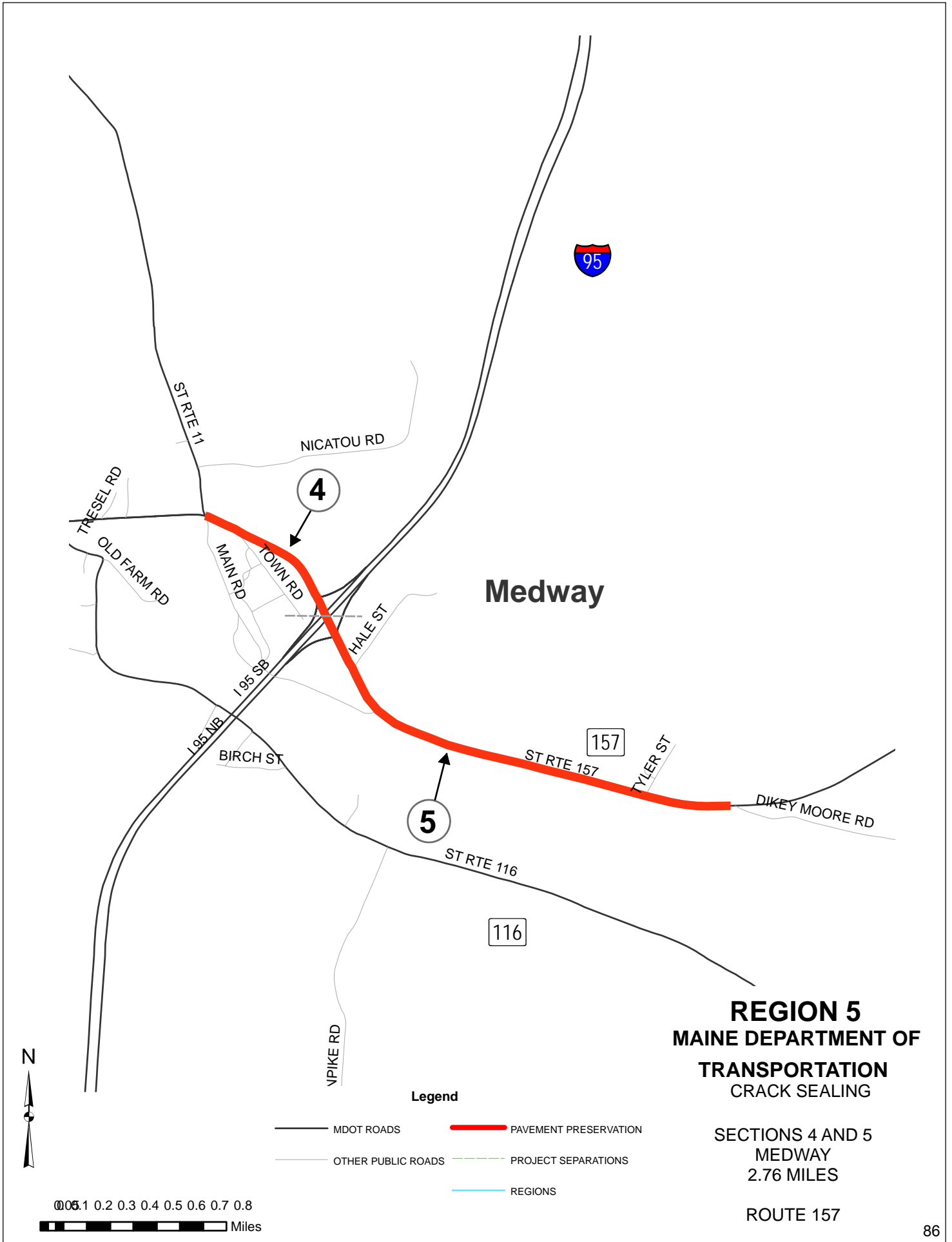
SECTION 3
LEE TO SPRINGFIELD
8.83 MILES

ROUTE 6

Legend

-  MDOT ROADS
-  PAVEMENT PRESERVATION
-  OTHER PUBLIC ROADS
-  PROJECT SEPARATIONS
-  REGIONS





T8 R4 NBPP

T8 R3 NBPP

Prentiss Twp T7 R3 NBPP

Kossuth Twp

T6 R1 NBPP

Pukakon Twp

Brookton Twp

Forest Twp

Codyville Plt

Topsfield

Carroll Plt

Talmadge

**REGION 5
MAINE DEPARTMENT OF
TRANSPORTATION
CRACK SEALING**

SECTION 6
KOSSUTH TWP TO TOPSFIELD
9.43 MILES

ROUTE 6

MAIN RD

ST RTE 6

LAKEVIEW RD

SINGDOM RD

NORTH RD

US 1



Legend

- MDOT ROADS
- PAVEMENT PRESERVATION
- OTHER PUBLIC ROADS
- PROJECT SEPARATIONS
- REGIONS



State of Maine
 Department of Labor
 Bureau of Labor Standards
 Technical Services Division
 Augusta, Maine 04333-0045
 Telephone (207) 623-7906

Wage Determination - In accordance with 26 MRSA §1301 et seq, this is a determination by the Bureau of Labor Standards, of the fair minimum wage rate to be paid laborers and workers employed on the below titled project

Title of Project ----- Cracksealing – PIN 15961 01, 15961 02, 15961 03, 15961.04, 15961 05

Location of Project -- All Regions, All Counties in Maine, Statewide

**2008 Fair Minimum Wage Rates
 Highway & Earthwork Statewide**

Occupation Title	Minimum			Occupation Title	Minimum		
	Wage	Benefit	Total		Wage	Benefit	Total
Asphalt Raker	\$13 00	\$0 37	\$13 37	Hot Top Plant Operator	\$17 85	\$7 02	\$24 87
Backhoe Loader Operator	\$15 00	\$1 96	\$16 96	Ironworker - Reinforcing	\$17 88	\$2 97	\$20 85
Blaster	\$17 60	\$3 92	\$21 52	Ironworker - Structural	\$20 15	\$4 96	\$25 11
Boom Truck Operator	\$18 50	\$3 49	\$21 99	Laborers/Helper/Tender	\$11 00	\$1 28	\$12 28
Bulldozer Operator	\$16 25	\$2 82	\$19 07	Laborer - Skilled	\$13 40	\$1 71	\$15 11
Cable Splicer	\$20 65	\$3 88	\$24 53	Loader Op, Front-End	\$15 00	\$2 38	\$17 38
Carpenter	\$17 00	\$1 81	\$18 81	Mechanic - Maintenance	\$16 50	\$3 67	\$20 17
Carpenter - Rough	\$14 75	\$1 50	\$16 25	Millwright	\$22 00	\$6 18	\$28 18
Cement Mason/Finisher	\$13 00	\$0 64	\$13 64	Painter	\$13 50	\$0 48	\$13 98
Concrete Mixing Plant Op	\$15 85	\$6 78	\$22 63	Paver, Bituminous	\$15 55	\$1 65	\$17 20
Concrete Pump Operator	\$18 50	\$2 85	\$21 35	Pipe/Steam/Sprinkler Fitter	\$19 55	\$4 14	\$23 69
Crane Op =>15 Tons	\$20 00	\$4 68	\$24 68	Pipelayer	\$13 00	\$2 83	\$15 83
Crusher Plant Operator	\$14 50	\$2 24	\$16 74	Roller Operator, Earth	\$13 40	\$4 08	\$17 48
Driller, Rock	\$17 00	\$4 45	\$21 45	Roller Op, Pavement	\$15 90	\$5 40	\$21 30
Electrician, Licensed	\$21 00	\$5 39	\$26 39	Screed Operator	\$17 75	\$5 72	\$23 47
Electrician Hlpr (Licensed)	\$15 00	\$2 44	\$17 44	Stone Mason	\$16 00	\$2 26	\$18 26
Excavator Operator	\$17 00	\$2 48	\$19 48	Truck Driver, Light	\$13 25	\$1 77	\$15 02
Fence Setter	\$12 00	\$1 55	\$13 55	Truck Driver, Medium	\$13 36	\$4 07	\$17 43
Flagger	\$12 50	\$1 50	\$14 00	Truck Driver, Heavy	\$12 63	\$1 22	\$13 85
Grader/Scraper Operator	\$17 58	\$2 61	\$20 19	Truck Driver, Tractor Trlr	\$13 75	\$3 26	\$17 01
Hgway Wrkr/Guardrail Inst	\$14 10	\$1 55	\$15 65	Truck Driver, Mixer, Cemnt	\$11 00	\$3 05	\$14 05

The Laborer classifications include a wide range of work duties. Therefore, if any specific occupation to be employed on this project is not listed in this determination, call the Bureau of Labor Standards at the above number for further clarification.

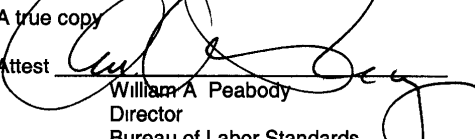
Welders are classified in the trade to which the welding is incidental.

Apprentices - The minimum wage rate for registered apprentices are those set forth in the standards and policies of the Maine State Apprenticeship and Training Council for approved apprenticeship programs.

Posting of Schedule - Posting of this schedule is required in accordance with 26 MRSA §1301 et seq, by any contractor holding a State contract for construction valued at \$50,000 or more and any subcontractors to such a contractor.

Appeal - Any person affected by the determination of these rates may appeal to the Commissioner of Labor by filing a written notice with the Commissioner stating the specific grounds of the objection within ten (10) days from the filing of these rates with the Secretary of State.

Determination No HI-015-2008
 Filing Date January 3, 2008
 Expiration Date 12-31-2008

A true copy
 Attest 
 William A. Peabody
 Director
 Bureau of Labor Standards

BLS 424HI (R2008) (Highway & Earthwork Statewide)

NOTICE TO CONTRACTORS - PREFERRED EMPLOYEES

Sec. 1303. Public Works; minimum wage

In the employment of laborers in the construction of public works, including state highways, by the State or by persons contracting for the construction, preference must first be given to citizens of the State who are qualified to perform the work to which the employment relates and, if they can not be obtained in sufficient numbers, then to citizens of the United States. Every contract for public works construction must contain a provision for employing citizens of this State or the United States. The hourly wage and benefit rate paid to laborers employed in the construction of public works, including state highways, may not be less than the fair minimum rate as determined in accordance with section 1308. Any contractor who knowingly and willfully violates this section is subject to a fine of not less than \$250 per employee violation. Each day that any contractor employs a laborer at less than the wage and benefit minimum stipulated in this section constitutes a separate violation of this section. [1997, c. 757, §1 (amd).]

SPECIAL PROVISION
SECTION 105
General Scope of Work
(Limitations of Operations)

Contractor will be allowed to commence work and end work daily according to the Department of Marine Resources Sunrise/Sunset Table at the following Web address (http://www.maine.gov/dmr/sunrise_table.htm). Contractor will be allowed to enter roadway at Sunrise and must be off the roadway before Sunset. "Any work conducted outside these times will require that the contractor provide appropriate lighting and safety attire for their employees in compliance with the MUTCD."

SPECIAL PROVISION
SECTION 107
SCHEDULING OF WORK

Replace Section 107.4.2 with the following:

”107.4.2 Schedule of Work Required Within 21 Days of Contract Execution and before beginning any on-site activities, the Contractor shall provide the Department with its Schedule of Work. The Contractor shall plan the Work, including the activity of Subcontractors, vendors, and suppliers, such that all Work will be performed in Substantial Conformity with its Schedule of Work. The Schedule must include sufficient time for the Department to perform its functions as indicated in this Contract, including QA inspection and testing, approval of the Contractor's TCP, SEWPCP and QCP, and review of Working Drawings.

At a minimum, the Schedule of Work shall include a bar chart which shows the major Work activities, milestones, durations, and a timeline. Milestones to be included in the schedule include: (A) start of Work, (B) beginning and ending of planned Work suspensions, (C) Completion of Physical Work, and (D) Completion. If the Contractor Plans to Complete the Work before the specified Completion date, the Schedule shall so indicate.

Any restrictions that affect the Schedule of Work such as paving restrictions or In-Stream Work windows must be charted with the related activities to demonstrate that the Schedule of Work complies with the Contract.

The Department will review the Schedule of Work and provide comments to the Contractor within 20 days of receipt of the schedule. The Contractor will make the requested changes to the schedule and issue the finalized version to the Department.”

SPECIAL PROVISION

SECTION 107

TIME

(Scheduling of Work – Projected Payment Schedule)

Description The Contractor shall also provide the Department with a Quarterly Projected Payment Schedule that estimates the value of the Work as scheduled, including requests for payment of Delivered Materials. The Projected Payment Schedule must be in accordance with the Contractor's Schedule of Work and prices submitted by the Contractor's Bid. The Contractor shall submit the Projected Payment Schedule as a condition of Award.

SPECIAL PROVISION
SECTION 107
PROSECUTION AND PROGRESS
(CONTRACT TIME)

The contractor will be allowed to commence work on or after April 14, 2008 provided that all applicable plans required under this contract have been submitted and approved.

The contractor will be limited to 1 (one) crew unless other wise approved by the Resident.

For every weekday not worked once operations commence, excluding inclement weather days, the contractor will be charged Supplemental Liquidated Damages in the amount of \$200 per work day. Work operations may be suspended without incurring Supplemental Liquidated Damages provided the suspensions are stated in the schedule of work and are a minimum of 1 (one) work week.

The completion date for this contract is May 24, 2008.

SPECIAL PROVISION
SECTION 107
PROSECUTION AND PROGRESS
(CONTRACT TIME)

The contractor will be allowed to commence work on or after August 25, 2008 provided that all applicable plans required under this contract have been submitted and approved.

The contractor will be limited to 1 (one) crew unless other wise approved by the Resident.

For every weekday not worked once operations commence, excluding inclement weather days, the contractor will be charged Supplemental Liquidated Damages in the amount of \$200 per work day. Work operations may be suspended without incurring Supplemental Liquidated Damages provided the suspensions are stated in the schedule of work and are a minimum of 1 (one) work week.

The completion date for this contract is October 4, 2008.

SPECIAL PROVISION
SECTION 107
PROSECUTION AND PROGRESS
(CONTRACT TIME)

The contractor will be allowed to commence work on or after August 25, 2008 provided that all applicable plans required under this contract have been submitted and approved.

The contractor will be limited to 1 (one) crew unless other wise approved by the Resident.

For every weekday not worked once operations commence, excluding inclement weather days, the contractor will be charged Supplemental Liquidated Damages in the amount of \$200 per work day. Work operations may be suspended without incurring Supplemental Liquidated Damages provided the suspensions are stated in the schedule of work and are a minimum of 1 (one) work week.

The completion date for this contract is September 27, 2008.

SPECIAL PROVISION
SECTION 107
PROSECUTION AND PROGRESS
(CONTRACT TIME)

The contractor will be allowed to commence work on or after May 12, 2008 provided that all applicable plans required under this contract have been submitted and approved.

The contractor will be limited to 1 (one) crew unless other wise approved by the Resident.

For every weekday not worked once operations commence, excluding inclement weather days, the contractor will be charged Supplemental Liquidated Damages in the amount of \$200 per work day. Work operations may be suspended without incurring Supplemental Liquidated Damages provided the suspensions are stated in the schedule of work and are a minimum of 1 (one) work week.

The completion date for this contract is July 3, 2008.

SPECIAL PROVISION
SECTION 107
PROSECUTION AND PROGRESS
(CONTRACT TIME)

The contractor will be allowed to commence work on or after July 7, 2008 provided that all applicable plans required under this contract have been submitted and approved.

The contractor will be limited to 1 (one) crew unless other wise approved by the Resident.

For every weekday not worked once operations commence, excluding inclement weather days, the contractor will be charged Supplemental Liquidated Damages in the amount of \$200 per work day. Work operations may be suspended without incurring Supplemental Liquidated Damages provided the suspensions are stated in the schedule of work and are a minimum of 1 (one) work week.

The completion date for this contract is August 23, 2008.

SPECIAL PROVISION
SECTION 424
LOW MODULUS CRACK SEALER

Description This work shall consist of the furnishing and placement of crack sealing material in the cracks of existing bituminous concrete pavement in accordance with these Special Provisions. Placement shall consist of: 1) crack cleaning and drying, 2) material preparation and application, 3) material finishing and shaping and 4) barrier material and application.

Materials low modulus crack sealant material shall conform to ASTM D-3405 and the following specification.

Cone Penetration	90 - 150
Flow @ 60°C [140°F]	< 3.0mm [$\frac{1}{8}$ in]
Bond, non-immersed	Three 12.7mm [$\frac{1}{2}$ in] specimens pass 3 cycles @ 200% extension @ -29°C [-20°F]
Resilience, %	60 min
Asphalt Compatibility, ASTM D5329	pass*

* There shall be no failure in adhesion, formation of any oily exudate at the interface between the sealant and asphaltic concrete or other deleterious effects on the asphaltic concrete or sealant when tested at 60°C [140°F].

The contractor shall provide the Resident or authorized representative with a copy of the material manufacturer's recommendations pertaining to heating, application, and reheating prior to the beginning of operations or the changing of materials.

CONSTRUCTION REQUIREMENTS

Weather Low Modulus Crack Sealer shall not be applied on a wet surface, after sunset or before sunrise, or when the atmospheric temperature is below 10°C [50°F] in a shaded area at the job site, or when weather conditions are otherwise unfavorable to proper construction procedures.

Equipment Equipment used in the performance of the work shall be subject to the Resident's or authorized representative's approval and shall be maintained in a satisfactory working condition at all times.

(a) Air Compressor: Air compressors shall be portable and capable of furnishing not less than 3 m³ [4 yd³] of air per minute at not less than 620 kPa [90 psi] pressure at the nozzle. The compressor shall be equipped with traps that will maintain the compressed air free of oil and water.

(b) Sweeper: Manually operated, gas powered air-broom or self-propelled sweeper designed especially for use in cleaning pavements shall be used to remove debris, dirt, and dust from the cracks.

(c) Hot Air Lance: Should operate with propane and compressed air in combination at 1100°C - 1650°C [2000°F - 3000°F], exit air heated at 310 m/s [1000 ft/s]. The lance should draw propane from no smaller than a 45 Kg [100 lb] tank using separate hoses for propane and air draw. The hoses shall be wrapped together with reflectorized wrap to keep them together and to protect workers in low light situations.

(d) Hand Tools: Shall consist of V-shaped squeegee, brooms, shovels, metal bars with chisel shaped ends, and any other tools which may be satisfactorily used to accomplish this work.

(e) Melting Kettle: The unit used to melt the joint sealing compound shall be a double boiler, indirect fired type. The space between inner and outer shells shall be filled with a suitable heat transfer oil or substitute having a flash point of not less than 320°C [608°F]. The kettle shall be equipped with a satisfactory means of agitating and mixing the joint sealer at all times. This may be accomplished by continuous stirring with mechanically operated paddles and/or a continuous circulating gear pump attached to the heating unit. The kettle must be equipped with thermostatic control calibrated between 94°C [200°F] and 290°C [550°F].

(f) Application Wand: The application wand shall apply a controlled flow of material via an insulated or heated hose. The nozzle shall distribute the material as called for in this specification. A pressure regulator shall be provided to regulate pressure at the nozzle. A bypass line into the holding tank is required for use when the nozzle is shut off.

Preparation All cracks greater than 5 mm [$\frac{1}{4}$ in] shall be blown free of loose material, dirt, vegetation, and other debris by high pressure air. Material removed from the crack shall be removed from the pavement surface by means of a power sweeper or appropriate hand tools as required. Cracks showing evidence of vegetation after being blown out shall be additionally cleaned by appropriate hand tools and additionally blown out. All cracks must be blown and heated via the hot air lance 10 minutes prior to the crack being sealed. Distance between the hot air lance and the crack sealing unit should be no more than 15 m [50 ft] to eliminate reinvasion of water, debris, and other incompressibles. All debris, vegetation, and water shall be removed to enhance adhesion of the crack sealing material. THIS WORK SHALL NOT BE DONE IN INCLEMENT WEATHER.

Preparation and Placement of Sealer The low modulus crack sealer material shall be heated and applied at the temperature specified by the manufacturer and approved by the Resident or authorized representative. Any material that has been heated above the manufacturer's specification shall not be used. Material that is reheated or held at temperature for an extended period of time may be used as allowed by the manufacturer's specification and approval of the Resident or authorized representative. The Contractor shall provide the Resident or authorized representative with a suitable device for verifying the sealant temperature in the kettle and at the application site.

Any over application or spills are to be removed to the satisfaction of the Resident or authorized representative. Any sealed areas with damaged or contaminated sealer or visible voids are to be removed, prepared and resealed.

Sealer shall be delivered to the crack while the cracks are still hot from the hot air lance preparation through a pressure hose line and applicator shoe. The shoe width and the sealer overbanding area shall vary from 50 mm - 100 mm [2 in - 4 in] depending on the severity of the cracks. The applicator shall be followed by a V-shaped squeegee to minimize the thickness of the overband. Any loose material on the surface or in the crack, which may contaminate the crack sealer or impede bonding of the sealant to the pavement, is to be removed by hand tools prior to crack filling. No crack filling material shall be applied in a crack that is wet or where frost, snow, or ice is present. The ambient air temperature must be 10°C [50°F] or higher.

If the sealed area is to be opened to traffic immediately, a barrier material such as Glenzoil or an equivalent approved by the Resident shall be provided by the Contractor and shall be applied to the crack sealer to prevent pickup as directed by the Resident or authorized representative.

Quality of Work Excess of spilled sealer shall be removed from the pavement by approved methods and discarded. Any quality of Work determined to be below normal acceptable standards will not be accepted, and will be corrected and/or replaced as directed by the Resident or authorized representative.

Method of Measurement Asphalt Low Modulus Crack Sealer will be measured by the kilogram (pound) of sealant used. The manufacturer's weights of the sealant will be accepted as the basis for measurement.

Basis of Payment. The accepted quantity of Low Modulus Crack Sealer will be paid for at the contract unit price per kilogram [pound] complete in place. This price shall be full compensation for furnishing and placing crack sealer, including cleaning cracks and furnishing and placing barrier materials if necessary.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
424.3331 Low Modulus Crack Sealer, Applied	Kilogram [Pound]

**SPECIAL PROVISION
SECTION 424
LOW MODULUS CRACK SEALER, INCLUDING ROUTING**

Description This work shall consist of the furnishing and placement of crack sealing material in the cracks of existing bituminous concrete pavement in accordance with these Special Provisions. Placement shall consist of 1) crack cutting by router or saw, 2) crack cleaning and drying, 3) material preparation and application, 4) material finishing and shaping and 5) barrier material and application.

Materials Low modulus crack sealant material shall conform to ASTM D-3405 and the following specification.

Cone Penetration	90 - 150
Flow @ 60°C [140°F]	< 3.0mm [$\frac{1}{8}$ in]
Bond, non-immersed	Three 12.7mm [$\frac{1}{2}$ in] specimens pass 3 cycles @ 200% extension @ -29°C [-20°F]
Resilience, %	60 min
Asphalt Compatibility, ASTM D5329	pass*

* There shall be no failure in adhesion, formation of any oily exudate at the interface between the sealant and asphaltic concrete or other deleterious effects on the asphaltic concrete or sealant when tested at 60°C [140°F].

The contractor shall provide the Resident or authorized representative with a copy of the material manufacturer's recommendations pertaining to heating, application, and reheating prior to the beginning of operations or the changing of materials

Weather Low Modulus Crack Sealer shall not be applied on a wet surface, after sunset or before sunrise, or when the atmospheric temperature is below 10°C [50°F] in a shaded area at the job site, or when weather conditions are otherwise unfavorable to proper construction procedures.

Equipment Equipment used in the performance of the work shall be subject to the Resident or authorized representative's approval and shall be maintained in a satisfactory working condition at all times.

PIN 15961.04
Region 4
Crack Seal - Region Wide

(a) Air Compressor: Air compressors shall be portable and capable of furnishing not less than 3 m³ [4 yd³] of air per minute at not less than 620 kPa [90 psi] pressure at the nozzle. The compressor shall be equipped with traps that will maintain the compressed air free of oil and water.

(b) Sweeper: Manually operated, gas powered air-broom or self-propelled sweeper designed especially for use in cleaning pavements shall be used to remove debris, dirt, and dust from the cracks.

(c) Hot Air Lance: Should operate with propane and compressed air in combination at 1100°C - 1650°C [2000°F - 3000°F], exit air heated at 310 m/s [1000 ft/s]. The lance should draw propane from no smaller than a 45 kg [100 lb] tank using separate hoses for propane and air draw. The hoses shall be wrapped together with reflectorized wrap to keep them together and to protect workers in low light situations.

(d) Hand Tools: Shall consist of V-shaped squeegees, brooms, shovels, metal bars with chisel shaped ends, and any other tools which may be satisfactorily used to accomplish this work.

(e) Melting Kettle: The unit used to melt the joint sealing compound shall be a double boiler, indirect fired type. The space between inner and outer shells shall be filled with a suitable heat transfer oil or substitute having a flash point of not less than 320°C [608°F]. The kettle shall be equipped with a satisfactory means of agitating and mixing the joint sealer at all times. This may be accomplished by continuous stirring with mechanically operated paddles and/or a continuous circulating gear pump attached to the heating unit. The kettle must be equipped with a thermostatic control calibrated between 94°C [200°F] and 290°C [550°F].

(f) Router: Equipment for preparing cracks shall be a rotary impact type cutter equipped with a carbide bit or a diamond-blade crack saw which will provide a reservoir of specified dimensions.

(g) Application Wand: The application wand shall apply a controlled flow of material via an insulated or heated hose. The nozzle shall distribute the material as called for in this specification. A pressure regulator shall be provided to regulate pressure at the nozzle. A bypass line into the holding tank is required for use when the nozzle is shut off.

Preparation Care must be taken in the preparation of all cracks to receive sealant material. All cracks must be clean, dry and heated to ensure optimal bonding of the sealant material to the existing pavement. All routed cracks shall be filled with sealant in the same workday as directed by the Resident or authorized representative.

Cracks of 5 mm to 20 mm [$\frac{1}{8}$ in to $\frac{3}{4}$ in] in width shall be shaped into a square cross section 12 mm to 19 mm [$\frac{1}{2}$ in to $\frac{3}{4}$ in] in width by 12 mm to 19 mm [$\frac{1}{2}$ in to $\frac{3}{4}$ in] in depth using a

PIN 15961.04
Region 4
Crack Seal - Region Wide

router or crack saw. The router or saw shall be guided so that the crack lies entirely within the routed channel. All material removed from the cracks shall immediately be removed from the pavement. Cracks greater than 20 mm [$\frac{3}{4}$ in] in width will not require routing, but shall be thoroughly cleaned of foreign material to a depth equal to the width of the crack.

Following crack routing or saw cutting, the entire pavement area shall be cleaned using a power broom or blower device. Special care must be exercised in urban areas to ensure that the pavement area is cleaned after the crack sealing operation and to minimize the creation of dust in the cleaning process. Within 10 minutes prior to the application of the sealer material, all cracks shall be cleared of loose pavement, vegetation, sand, dust and any other debris using the hot air lance. The Distance between the hot air lance and the crack sealing unit shall be no more than 15 M [50 ft] to eliminate reinvasion of water, debris, and other incompressibles. All debris, vegetation, and water shall be removed to enhance adhesion of the crack sealing material. THIS WORK SHALL NOT BE DONE IN INCLEMENT WEATHER.

Preparation and Placing of Sealer The low modulus crack sealer material shall be heated and applied at the temperature specified by the manufacturer and approved by the Resident or authorized representative. Any material that has been heated above the manufacturer's specification shall not be used. Material that is reheated or held at temperature for an extended period of time may be used as allowed by the manufacturer's specification and approval of the Resident or authorized representative. The Contractor shall provide the Resident or authorized representative with a suitable device for verifying the sealant temperature in the kettle and at the application site.

All routed cracks shall be filled flush with the pavement surface.

Any over application or spills are to be removed to the satisfaction of the Resident or authorized representative. Any sealed areas with damaged or contaminated sealer or visible voids are to be removed, prepared and resealed.

The sealant material shall be applied while the cracks/joints are still hot from the hot air lance preparation and if necessary, followed by a V-shaped squeegee. Any loose material on the surface or in the crack, which may contaminate the joint sealer or impede bonding of the sealant to the pavement, is to be removed by hand tools prior to crack filling. No crack filling material shall be applied in a crack that is wet or where frost, snow, or ice is present. The ambient air temperature must be 10°C [50°F] or higher.

If the sealed area is to be opened to traffic immediately, a barrier material such as Glenzoil or an equivalent approved by the Resident shall be provided by the Contractor and shall be applied to the crack sealer to prevent pickup as directed by the Resident or authorized representative.

January 23, 2007

**PIN 15961.04
Region 4
Crack Seal - Region Wide**

Quality of Work Excess of spilled sealer shall be removed from the pavement by approved methods and discarded. Any quality of Work determined to be below normal acceptable standards will not be accepted, and will be corrected and/or replaced as directed by the Resident or authorized representative.

Method of Measurement Low Modulus Crack Sealer will be measured by the kilogram (pound) of sealant used. The manufacturer's weights of the sealant will be accepted as the basis for measurement.

Basis of Payment The accepted quantity of Low Modulus Crack Sealer will be paid for at the contract unit price per kilogram [pound], complete in place. This price shall be full compensation for furnishing, routing, and placing crack sealer, including cleaning cracks and furnishing and placing barrier materials if necessary.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
424.3332 Low Modulus Crack Sealer, Applied, Inc Routing	Kilogram [Pound]

SPECIAL PROVISION
SECTION 652
MAINTENANCE OF TRAFFIC
Construction Sign Sheeting Material

Super high intensity fluorescent retroreflective sheeting, ASTM D 4956 - Type VII, Type VIII, or Type IX (prismatic), is required for all construction signs.

SPECIAL PROVISION
SECTION 652
MAINTENANCE OF TRAFFIC
(Traffic Control)

Failure by the contractor to follow the Contracts 652 Special Provisions and Standard Specification and/or The Manual on Uniform Traffic Control Devices (MUTCD) and/or The Contractors own Traffic Control Plan will result in a violation letter and result in a reduction in payment as shown in the schedule below. The Departments Resident or any other representative of The Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item. Any reduction in payment under this Special Provision will be in addition to forfeiting payment of maintenance of traffic control devices for that day.

ORIGINAL CONTRACT AMOUNT

from	Up to and	Amount of Penalty
<u>More Than</u>	<u>Including</u>	<u>Damages per Violation</u>
\$0	\$100,000	\$250
\$100,000	\$300,000	\$500
\$300,000	\$500,000	\$750
\$500,000	\$1,000,000	\$1,500
\$1,000,000	\$2,000,000	\$2,500
\$2,000,000	\$4,000,000	\$5,000
\$4,000,000	and more	\$10,000

**SPECIAL PROVISION
SECTION 652
MAINTENANCE OF TRAFFIC**

Work Area At the work site, signs and channelizing devices shall be used as referenced in the following 2 pages and as directed by the Resident. Signs include:

Road Work Next 2 Mi.
One Lane Road Ahead
Flagger Sign (Flagger Symbol)

The Contractor shall conduct their operations in such a manner that the roadway will only be restricted to one lane for a distance needed to safely perform the work with a maximum restriction to one lane of 800 m [2,500 ft].

Additional flaggers shall be used at intersections and side roads as needed when the traffic from these areas can not be safely and effectively directed by the permanent mainline flaggers in use.

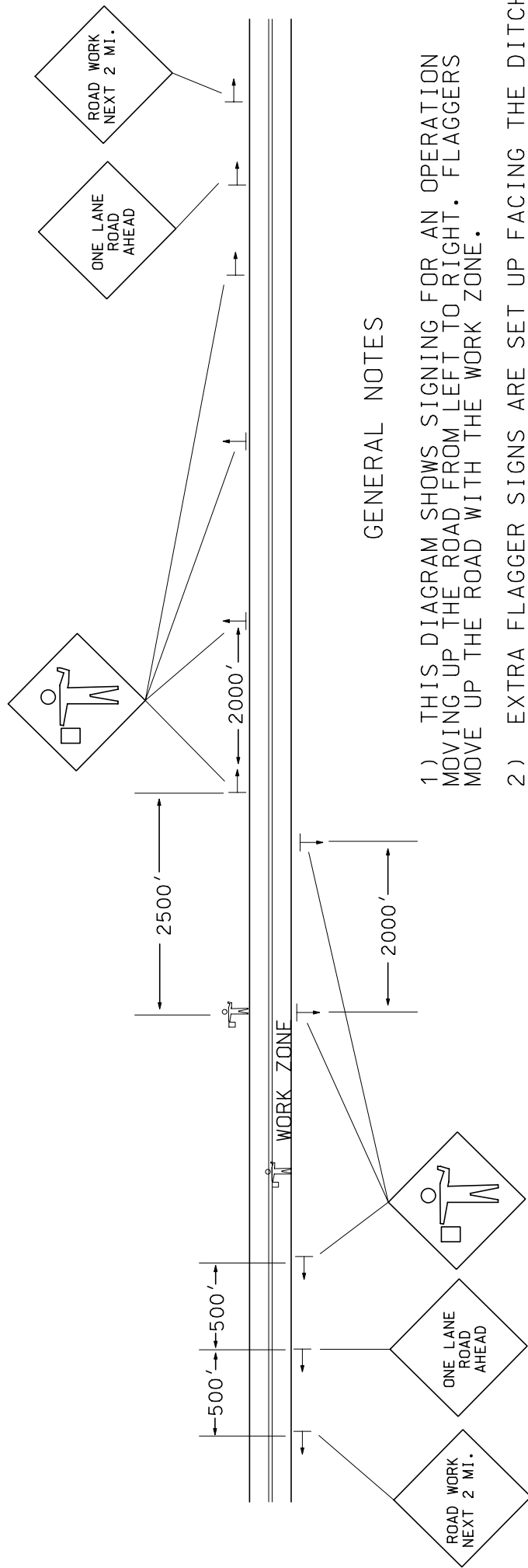
Cones may be used along the centerline of the work zone for safety at the contractors or MDOT's discretion for safety.

All signs shall use super high intensity fluorescent retroreflective sheeting, ASTM 4956 - Type VII.

652.16 Basis of Payment: The furnishing, installation and maintenance of all Traffic Control Devices, including cones, will not be paid for directly, but will be incidental to the 424 item(s).

The furnishing of the necessary quantity of flaggers, including hiring, transporting, equipping, supervising and the payment of flaggers, breaker flaggers and all overhead and incidentals necessary to complete the work will not be paid for directly, but will be incidental to the 424 item(s).

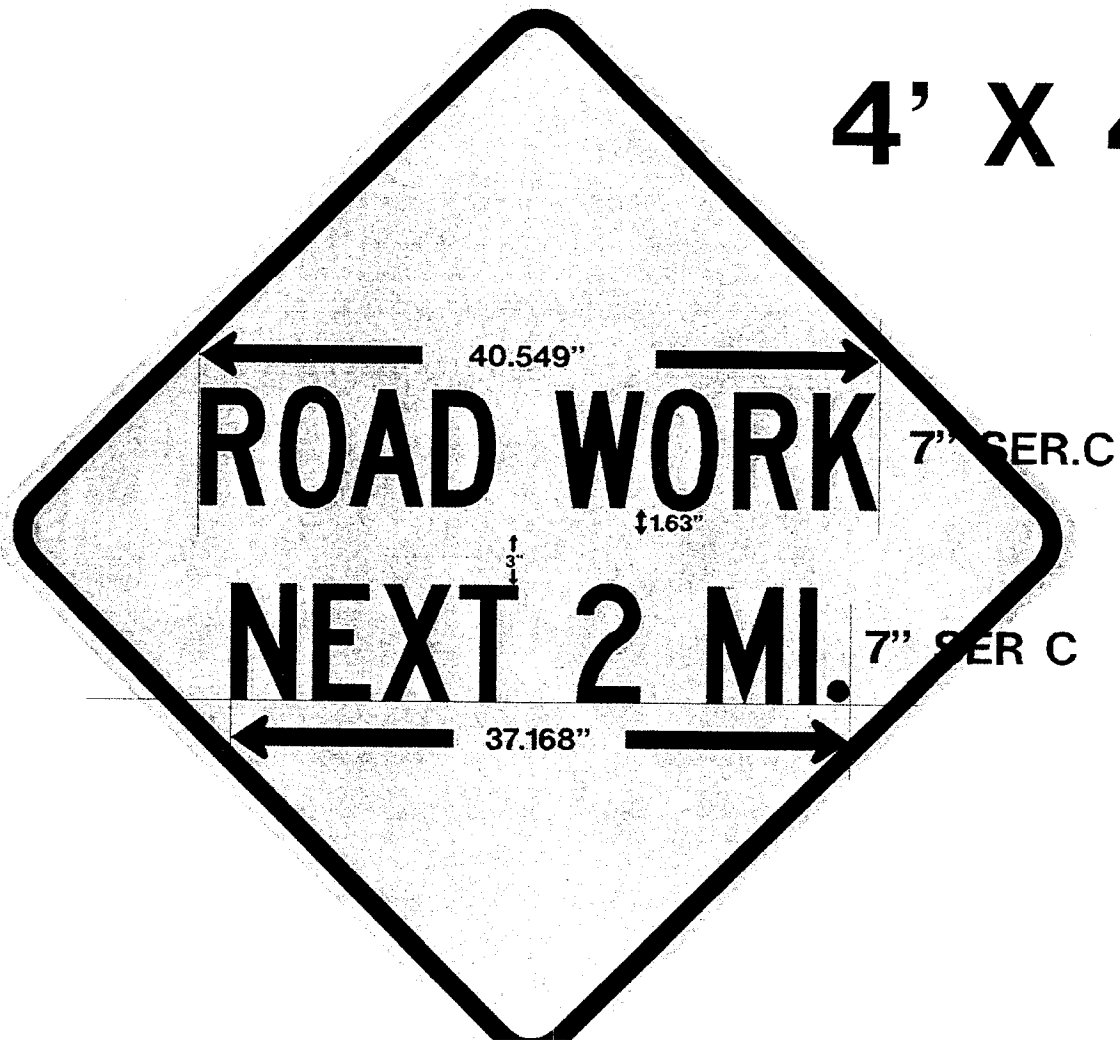
MOBILE OPERATION ON A TWO LANE, TWO WAY ROAD USING FLAGGERS.



GENERAL NOTES

- 1) THIS DIAGRAM SHOWS SIGNING FOR AN OPERATION MOVING UP THE ROAD FROM LEFT TO RIGHT. FLAGGERS MOVE UP THE ROAD WITH THE WORK ZONE.
- 2) EXTRA FLAGGER SIGNS ARE SET UP FACING THE DITCH 2000 FT. APART SO THAT THEY CAN BE TURNED TO FACE ONCOMING TRAFFIC AS THE FLAGGER PASSES. THE FLAGGER SIGN UPSTREAM SHALL NOT BE REMOVED UNTIL THE FLAGGER IS 500 FT. PAST THE DOWNSTREAM SIGN.
- 3) EACH OPERATION SHALL HAVE A PERSON WHOSE RESPONSIBILITY IS TRAFFIC CONTROL INCLUDING THE PROPER SETUP AND REMOVAL OF SIGNS.
- 4) THE PERSON RESPONSIBLE FOR TRAFFIC CONTROL MAY WANT TO PERIODICALLY PLACE CONES ON THE CENTERLINE TO REINFORCE THE FACT THAT MOTORISTS ARE IN A WORK ZONE.
- 5) AT THE DISCRETION OF THE MDOT REPRESENTATIVE CONES MAY BE REQUIRED ALONG THE CENTERLINE OF THE WORK ZONE FOR SAFETY.
- 6) THIS APPLICATION MAY BE USED FOR MAINTENANCE PAVING OR CRACKSEALING OPERATIONS.

4' X 4'



STANDARD DETAIL UPDATES

Standard Details and Standard Detail updates are available at:

http://www.maine.gov/mdot/contractor-consultant-information/ss_standard_details_updates.php

<u>Detail #</u>	<u>Description</u>	<u>Revision Date</u>
504(15)	Diaphragms	12/30/02
507(04)	Steel Bridge Railing	2/05/03
526(33)	Concrete Transition Barrier	8/18/03
645(06)	H-Beam Posts – Highway Signing	7/21/04
645(09)	Installation of Type II Signs	7/21/04
626(09)	Electrical Junction Box for Traffic Signals and Lighting	2/25/05
604(01)	Catch Basins	11/16/05
604(05)	Type “A” & “B” Catch Basin Tops	11/16/05
604(06)	Type “C” Catch Basin Tops	11/16/05
604(07)	Manhole Top “D”	11/16/05
604(09)	Catch Basin Type “E”	11/16/05
606(02)	Multiple Mailbox Support	11/16/05
606(07)	Reflectorized Beam Guardrail Delineator Details	11/16/05
609(06)	Vertical Bridge Curb	11/16/05
504(23)	Hand-Hold Details	12/08/05
609(03)	Curb Type 3	6/27/06
609(07)	Curb Type 1	6/27/06
535(01)	Precast Superstructure - Shear Key	10/12/06
535(02)	Precast Superstructure - Curb Key & Drip Notch	10/12/06
535(03)	Precast Superstructure - Shear Key	10/12/06

535(04)	Precast Superstructure - Shear Key	10/12/06
535(05)	Precast Superstructure - Post Tensioning	10/12/06
535(06)	Precast Superstructure - Sections	10/12/06
535(07)	Precast Superstructure - Precast Slab & Box	10/12/06
535(08)	Precast Superstructure - Sections	10/12/06
535(09)	Precast Superstructure - Sections	10/12/06
535(10)	Precast Superstructure - Sections	10/12/06
535(11)	Precast Superstructure - Sections	10/12/06
535(12)	Precast Superstructure - Sections	10/12/06
535(13)	Precast Superstructure - Sections	10/12/06
535(14)	Precast Superstructure - Stirrups	10/12/06
535(15)	Precast Superstructure - Plan	10/12/06
535(16)	Precast Superstructure - Reinforcing	10/12/06
535(17)	Precast Superstructure - Notes	10/12/06
801(01)	Drives on Sidewalk Sections	2/06/07
801(02)	Drives on Non-Sidewalk Sections	2/06/07
535(03)	Precast Superstructure - Shear Key	12/5/07
535(04)	Precast Superstructure - Shear Key	12/5/07
535(05)	Precast Superstructure - Post Tensioning	12/5/07
535(17)	Precast Superstructure - Notes	12/5/07
801(01)	Drives on Sidewalk Sections	1/04/08
801(02)	Drives on Non-Sidewalk Sections	1/04/08
203(03)	Backslope Rounding	1/29/08

SUPPLEMENTAL SPECIFICATION

(Corrections, Additions, & Revisions to Standard Specifications - Revision of December 2002)

SECTION 101

CONTRACT INTERPRETATION

101.2 Definitions

Closeout Documentation Replace the sentence “A letter stating the amount.... DBE goals.” with “DBE Goal Attainment Verification Form”

Add “Environmental Information Hazardous waste assessments, dredge material test results, boring logs, geophysical studies, and other records and reports of the environmental conditions. For a related provision, see Section 104.3.14 - Interpretation and Interpolation.”

Add “Fabrication Engineer The Department’s representative responsible for Quality Assurance of pre-fabricated products that are produced off-site.”

Geotechnical Information Replace with the following: “Boring logs, soil reports, geotechnical design reports, ground penetrating radar evaluations, seismic refraction studies, and other records of subsurface conditions. For a related provision, see Section 104.3.14 - Interpretation and Interpolation.”

SECTION 102

DELIVERY OF BIDS

102.7.1 Location and Time Add the following sentence “As a minimum, the Bidder will submit a Bid Package consisting of the Notice to Contractors, the completed Acknowledgement of Bid Amendments form, the completed Schedule of Items, 2 copies of the completed Agreement, Offer, & Award form, a Bid Bond or Bid Guarantee, and any other Certifications or Bid Requirements listed in the Bid Book.”

102.11.1 Non-curable Bid Defects Replace E. with “E. The unit price and bid amount is not provided or a lump sum price is not provided or is illegible as determined by the Department.”

SECTION 103

AWARD AND CONTRACTING

103.3.1 Notice and Information Gathering Change the first paragraph to read as follows: “After Bid Opening and as a condition for Award of a Contract, the Department may require an Apparent Successful Bidder to demonstrate to the Department’s satisfaction that the Bidder is responsible and qualified to perform the Work.”

SECTION 104

GENERAL RIGHTS AND RESPONSIBILITIES

104.3.14 Interpretation and Interpolation In the first sentence, change “...and Geotechnical Information.” to “...Environmental Information, and Geotechnical Information.”
Delete the entire Section 104.5.9 and replace with the following:

“104.5.9 Landscape Subcontractors The Contractor shall retain only Landscape Subcontractors that are certified by the Department’s Environmental Office Landscape Unit.”

SECTION 105 GENERAL SCOPE OF WORK

Delete the entire Section 105.6 and replace with the following:

105.6.1 Department Provided Services The Department will provide the Contractor with the description and coordinates of vertical and horizontal control points, set by the Department, within the Project Limits, for full construction Projects and other Projects where survey control is necessary. For Projects of 1,500 feet in length, or less: The Department will provide three points. For Projects between 1,500 and 5,000 feet in length: The Department will provide one set of two points at each end of the Project. For Projects in excess of 5,000 feet in length, the Department will provide one set of two points at each end of the Project, plus one additional set of two points for each mile of Project length. For non-full construction Projects and other Projects where survey control is not necessary, the Department will not set any control points and, therefore, will not provide description and coordinates of any control points. Upon request of the Contractor, the Department will provide the Department’s survey data management software and Survey Manual to the Contractor, or its survey Subcontractor, for the exclusive use on the Department’s Projects.

105.6.2 Contractor Provided Services Utilizing the survey information and points provided by the Department, described in Subsection 105.6.1, Department Provided Services, the Contractor shall provide all additional survey layout necessary to complete the Work. This may include, but not be limited to, reestablishing all points provided by the Department, establishing additional control points, running axis lines, providing layout and maintenance of all other lines, grades, or points, and survey quality control to ensure conformance with the Contract. The Contractor is also responsible for providing construction centerline, or close reference points, for all Utility Facilities relocations and adjustments as necessary to complete the Work. When the Work is to connect with existing Structures, the Contractor shall verify all dimensions before proceeding with the Work. The Contractor shall employ or retain competent engineering and/or surveying personnel to fulfill these responsibilities.

The Contractor must notify the Department of any errors or inconsistencies regarding the data and layout provided by the Department as provided by Section 104.3.3 - Duty to Notify Department If Ambiguities Discovered.

105.6.2.1 Survey Quality Control The Contractor is responsible for all construction survey quality control. Construction survey quality control is generally defined as, first, performing initial field survey layout of the Work and, second, performing an independent check of the initial layout using independent survey data to assure the accuracy of the initial layout; additional iterations of checks may be required if significant discrepancies are discovered in this process. Construction survey layout quality control also requires written documentation of the layout process such that the process can be followed and repeated, if necessary, by an independent survey crew.

105.6.3 Survey Quality Assurance It is the Department's prerogative to perform construction survey quality assurance. Construction survey quality assurance may, or may not, be performed by the Department. Construction survey quality assurance is generally defined as an independent check of the construction survey quality control. The construction survey quality assurance process may involve physically checking the Contractor's construction survey layout using independent survey data, or may simply involve reviewing the construction survey quality control written documentation. If the Department elects to physically check the Contractor's survey layout, the Contractor's designated surveyor may be required to be present. The Department will provide a minimum notice of 48 hours to the Contractor, whenever possible, if the Contractor's designated surveyor's presence is required. Any errors discovered through the quality assurance process shall be corrected by the Contractor, at no additional cost to the Department.

105.6.4 Boundary Markers The Contractor shall preserve and protect from damage all monuments or other points that mark the boundaries of the Right-of-Way or abutting parcels that are outside the area that must be disturbed to perform the Work. The Contractor indemnifies and holds harmless the Department from all claims to reestablish the former location of all such monuments or points including claims arising from 14 MRSA § 7554-A. For a related provision, see Section 104.3.11 - Responsibility for Property of Others.

SECTION 106 QUALITY

106.4.3 Testing Change the first sentence in paragraph three from "...maintain records of all inspections and tests." to "...maintain original documentation of all inspections, tests, and calculations used to generate reports."

106.6 Acceptance Add the following to paragraph 1 of A: "This includes Sections 401 - Hot Mix Asphalt, 402 - Pavement Smoothness, and 502 - Structural Concrete - Method A - Air Content."

Add the following to the beginning of paragraph 3 of A: "For pay factors based on Quality Level Analysis, and"

106.7.1 Standard Deviation Method Add the following to F: "Note: In cases where the mean of the values is equal to either the USL or the LSL, then the PWL will be 50 regardless of the computed value of s."

Add the following to H: "Method C Hot Mix Asphalt: $PF = [55 + (Quality\ Level * 0.5)] * 0.01$ "

SECTION 107 TIME

107.3.1 General Add the following: "If a Holiday occurs on a Sunday, the following Monday shall be considered a Holiday. Sunday or Holiday work must be approved by the Department, except that the Contractor may work on Martin Luther King Day, President's Day, Patriot's Day, the Friday after Thanksgiving, and Columbus Day without the Department's approval."

107.7.2 Schedule of Liquidated Damages Replace the table of Liquidated Damages as follows:

<u>From More Than</u>	<u>Up to and Including</u>	<u>Amount of Liquidated Damages per Calendar Day</u>
\$0	\$100,000	\$100
\$100,000	\$300,000	\$200
\$300,000	\$500,000	\$400
\$500,000	\$1,000,000	\$575
\$1,000,000	\$2,000,000	\$750
\$2,000,000	\$4,000,000	\$900
\$4,000,000	and more	\$1,875

SECTION 108 PAYMENT

108.4 Payment for Materials Obtained and Stored First paragraph, second sentence, delete the words "...Delivered on or near the Work site at acceptable storage places."

SECTION 109 CHANGES

109.1.1 Changes Permitted Add the following to the end of the paragraph: "There will be no adjustment to Contract Time due to an increase or decrease in quantities, compared to those estimated, except as addressed through Contract Modification(s)."

109.1.2 Substantial Changes to Major Items Add the following to the end of the paragraph: "Contract Time adjustments may be made for substantial changes to Major Items when the change affects the Critical Path, as determined by the Department"

109.4.4 Investigation / Adjustment Third sentence, delete the words "subsections (A) - (E)"

109.5.1 Definitions - Types of Delays

B. Compensable Delay Replace (1) with the following; "a weather related Uncontrollable Event of such an unusually severe nature that a Federal Emergency Disaster is declared. The Contractor will only be entitled to an Equitable Adjustment if the Project falls within the geographic boundaries prescribed under the disaster declaration."

109.7.2 Basis of Payment Replace with the following: "Equitable Adjustments will be established by mutual Agreement for compensable items listed in Section 109.7.3- Compensable Items, based upon Unit or Lump Sum Prices. If Agreement cannot be reached, the Contractor shall accept payment on a Force Account basis as provided in Section 109.7.5 - Force Account Work, as full and complete compensation for all Work relating to the Equitable Adjustment."

109.7.3 Compensable Items Replace with the following: "The Contractor is entitled to compensation for the following items, with respect to agreed upon Unit or Lump Sum Prices:

1. Labor expenses for non-salaried Workers and salaried foremen.
2. Costs for Materials.
3. A 15 % markup on the totals of Items 1 and 2 of this subsection 109.7.3 for home office overhead and profit of the Contractor, its Subcontractors and suppliers, and any lower tier Subcontractors or suppliers, with no mark-ups on mark-ups.
4. Cost for Equipment, based on Blue Book Rates or leased rates, as set forth in Section 109.7.5(C), or the Contractor's Actual Costs if determined by the Department to be lower.
5. Time.
6. Subcontractor quoted Work, as set forth below in Section 109.7.5 (F)."

109.7.5 Force Account Work

C. Equipment

Paragraph 2, delete sentence 1 which starts; "Equipment leased...."

Paragraph 6, change sentence 2 from "The Contractor may furnish..." to read "If requested by the Department, the Contractor will produce cost data to assist the Department in the establishment of such rental rate, including all records that are relevant to the Actual Costs including rental Receipts, acquisition costs, financing documents, lease Agreements, and maintenance and operational cost records."

Add the following paragraph; "Equipment leased by the Contractor for Force Account Work and actually used on the Project will be paid for at the actual invoice amount plus 10% markup for administrative costs."

Add the following section;

"F. Subcontractor Quoted Work When accomplishing Force Account Work that utilizes Subcontractors, the Contractor will be allowed a maximum markup of 5% for profit and overhead on the Subcontractor's portion of the Force Account Work."

SECTION 110 INDEMNIFICATION, BONDING, AND INSURANCE

Delete the entire Section 110.2.3 and replace with the following:

110.2.3 Bonding for Landscape Establishment Period The Contractor shall provide a signed, valid, and enforceable Performance, Warranty, or Maintenance Bond complying with the Contract, to the Department at Final Acceptance.

The bond shall be in the full amount for all Pay Items for work pursuant to Sec 621, Landscape, payable to the “Treasurer - State of Maine,” and on the Department’s forms, on exact copies thereof, or on forms that do not contain any significant variations from the Department’s forms as solely determined by the Department.

The Contractor shall pay all premiums and take all other actions necessary to keep said bond in effect for the duration of the Landscape Establishment Period described in Special Provision 621.0036 - Establishment Period. If the Surety becomes financially insolvent, ceases to be licensed or approved to do business in the State of Maine, or stops operating in the United States, the Contractor shall file new bonds complying with this Section within 10 Days of the date the Contractor is notified or becomes aware of such change.

All Bonds shall be procured from a company organized and operating in the United States, licensed or approved to do business in the State of Maine by the State of Maine Department of Business Regulation, Bureau of Insurance, and listed on the latest Federal Department of the Treasury listing for “Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies.”

By issuing a bond, the Surety agrees to be bound by all terms of the Contract, including those related to payment, time for performance, quality, warranties, and the Department’s self-help remedy provided in Section 112.1 - Default to the same extent as if all terms of the Contract are contained in the bond(s).

Regarding claims related to any obligations covered by the bond, the Surety shall provide, within 60 Days of Receipt of written notice thereof, full payment of the entire claim or written notice of all bases upon which it is denying or contesting payment. Failure of the Surety to provide such notice within the 60-day period constitutes the Surety’s waiver of any right to deny or contest payment and the Surety’s acknowledgment that the claim is valid and undisputed.

SECTION 202 REMOVING STRUCTURES AND OBSTRUCTIONS

202.02 Removing Buildings Make the following change to the last sentence in the final paragraph, change “...Code of Maine Regulations 401.” to “...Department of Environmental Protection Maine Solid Waste Management Rules, 06-096 CMR Ch. 401, Landfill Siting, Design and Operation.”

SECTION 203 EXCAVATION AND EMBANKMENT

203.01 Description Under b. Rock Excavation; add the following sentence: “The use of perchlorate is not allowed in blasting operations.”

SECTION 502
STRUCTURAL CONCRETE

502.05 Composition and Proportioning; TABLE #1; NOTE #2; third sentence; Change "...alcohol based saline sealer..." to "alcohol based silane sealer...". Add NOTE #6 to Class S Concrete.

502.0502 Quality Assurance Method A - Rejection by Resident Change the first sentence to read: "For an individual subplot with test results failing to meet the criteria in Table #1, or if the calculated pay factor for Air Content is less than 0.80....."

502.0503 Quality Assurance Method B - Rejection by Resident Change the first sentence to read: "For material represented by a verification test with test results failing to meet the criteria in Table #1, the Department will....."

502.0505 Resolution of Disputed Acceptance Test Results Combine the second and third sentence to read: "Circumstances may arise, however, where the Department may"

502.10 Forms and False work

D. Removal of Forms and False work 1., First paragraph; first, second, and third sentence; replace "forms" with "forms and false work"

502.11 Placing Concrete

G. Concrete Wearing Surface and Structural Slabs on Precast Superstructures Last paragraph; third sentence; replace "The temperature of the concrete shall not exceed 24° C [75° F] at the time of placement." with "The temperature of the concrete shall not exceed 24° C [75° F] at the time the concrete is placed in its final position."

502.15 Curing Concrete First paragraph; replace the first sentence with the following; "All concrete surfaces shall be kept wet with clean, fresh water for a curing period of at least 7 days after concrete placing, with the exception of vertical surfaces as provided for in Section 502.10 (D) - Removal of Forms and False work."

Second paragraph; delete the first two sentences.

Third paragraph; delete the entire paragraph which starts "When the ambient temperature...."

Fourth paragraph; delete "approved" to now read "...continuously wet for the entire curing period..."

Fifth paragraph; second sentence; change "...as soon as it is possible to do so without damaging the concrete surface." to "...as soon as possible."

Seventh paragraph; first sentence; change "...until the end of the curing period." to "...until the end of the curing period, except as provided for in Section 502.10(D) - Removal of Forms and False work."

502.19 Basis of Payment First paragraph, second sentence; add "pier nose armor" to the list of items included in the contract price for concrete.

SECTION 503 REINFORCING STEEL

503.06 Placing and Fastening Change the second paragraph, first sentence from: "All tack welding shall be done in accordance with Section 504, Structural Steel." to "All tack welding shall be done in accordance with AWS D1.4 Structural Welding Code - Reinforcing Steel."

SECTION 504 STRUCTURAL STEEL

504.09 Facilities for Inspection Add the follow as the last paragraph: "Failure to comply with the above requirements will be consider to be a denial to allow access to work by the Contractor. The Department will reject any work done when access for inspection is denied."

504.18 Plates for Fabricated Members Change the second paragraph, first sentence from: "...ASTM A 898/A 898 M..." to "...ASTM A 898/A 898 M or ASTM A 435/A 435 M as applicable and..."

504.31 Shop Assembly Add the following as the last sentence: "The minimum assembly length shall include bearing centerlines of at least two substructure units."

504.64 Non Destructive Testing-Ancillary Bridge Products and Support Structures Change the third paragraph, first sentence from "One hundred percent..." to "Twenty five percent..."

SECTION 535 PRECAST, PRESTRESSED CONCRETE SUPERSTRUCTURE

535.02 Materials Change "Steel Strand for Concrete Reinforcement" to "Steel Strand." Add the following to the beginning of the third paragraph; "Concrete shall be Class P conforming to the requirements in this section. 28 day compressive strength shall be as stated on the plans. Coarse aggregate...."

535.05 Inspection Facilities Add the follow as the last paragraph: "If the above requirements are not met, the Contractor shall be considered to be in violation of Standard Specification 104.2.5 – Right to Inspect Work. All work occurring during a violation of this specification will be rejected."

535.26 Lateral Post-Tensioning Replace the first paragraph; "A final tension..." with "Overstressing strands for setting losses cannot be accomplished for chuck to chuck lengths of 7.6 m [25 ft] and less. In such instances, refer to the Plans for all materials and methods. Otherwise, post-tensioning shall be in accordance with PCI standards and shall provide the anchorage force noted in the Plans. The applied jacking force shall be no less than 100% of the design jacking force."

SECTION 603
PIPE CULVERTS AND STORM DRAINS

603.0311 Corrugated Polyethylene Pipe for Option III Replace the Minimum Mandrel Diameter Table with the following:

Nominal Size US Customary (in)	Minimum Mandrel Diameter (in)	Nominal Size Metric (mm)	Minimum Mandrel Diameter (mm)
12	11.23	300	280.73
15	14.04	375	350.91
18	16.84	450	421.09
24	22.46	600	561.45
30	28.07	750	701.81
36	33.69	900	842.18
42	39.30	1050	982.54
48	44.92	1200	1122.90

SECTION 604
MANHOLES, INLETS, AND CATCH BASINS

604.02 Materials Add the following:

“Tops and Traps	712.07
Corrugated Metal Units	712.08
Catch Basin and Manhole Steps	712.09”

SECTION 605
UNDERDRAINS

605.05 Underdrain Outlets Make the following change:

In the first paragraph, second sentence, delete the words “metal pipe”.

SECTION 606
GUARDRAIL

606.02 Materials Delete the entire paragraph which reads “The sole patented supplier of multiple mailbox...” and replace with “Acceptable multiple mailbox assemblies shall be listed on the Department’s Approved Products List and shall be NCHRP 350 tested and approved.” Delete the entire paragraph which reads “Retroreflective beam guardrail delineators...” and replace with “Reflectorized sheeting for Guardrail Delineators shall meet the requirements of Section 719.01 - Reflective Sheeting. Delineators shall be fabricated from high-impact, ultraviolet and weather resistant thermoplastic.

606.09 Basis of Payment First paragraph; delete the second and third sentence in their entirety and replace with “Butterfly-type guardrail reflectorized delineators shall be mounted on all W-beam guardrail at an interval of every 10 posts [62.5 ft] on tangents sections and every 5 posts [31.25 ft] on curved sections as directed by the Resident. On divided highways, the delineators shall be yellow on the left hand side and silver/white on the right hand side. On two-way

roadways, the delineators shall be silver/white on the right hand side. All delineators shall have retroreflective sheeting applied to only the traffic facing side. Reflectorized guardrail delineators will not be paid for directly, but will be considered incidental to the guardrail items.”

SECTION 609 CURB

609.04 Bituminous Curb f., Delete the requirement “Color Natural (White)”

SECTION 615 LOAM

615.02 Materials Make the following change:

<u>Organic Content</u>	<u>Percent by Volume</u>
Humus	“5% - 10%”, as determined by Ignition Test

SECTION 618 SEEDING

618.01 Description Change the first sentence to read as follows: “This work shall consist of furnishing and applying seed” Also remove “,and cellulose fiber mulch” from 618.01(a).

618.03 Rates of Application In 618.03(a), remove the last sentence and replace with the following: “These rates shall apply to Seeding Method 2, 3, and Crown Vetch.”

In 618.03(c) “1.8 kg [4 lb]/unit.” to “1.95 kg [4 lb]/unit.”

618.09 Construction Method In 618.09(a) 1, sentence two, replace “100 mm [4 in]” with “25 mm [1 in] (Method 1 areas) and 50 mm [2 in] (Method 2 areas)”

618.15 Temporary Seeding Change the Pay Unit from Unit to Kg [lb].

SECTION 620 GEOTEXTILES

620.03 Placement Section (c)

Title: Replace “Non-woven” in title with “Erosion Control”.

First Paragraph: Replace first word “Non-woven” with “Woven monofilament”.

Second Paragraph: Replace second word “Non-woven” with “Erosion Control”.

620.07 Shipment, Storage, Protection and Repair of Fabric Section (a)

Replace the second sentence with the following: “Damaged geotextiles, as identified by the Resident, shall be repaired immediately.”

620.09 Basis of Payment

Pay Item 620.58: Replace “Non-woven” with “Erosion Control”

Pay Item 620.59: Replace “Non-woven” with “Erosion Control”

SECTION 621
LANDSCAPING

621.0036 Establishment Period In paragraph 4 and 5, change “time of Final Acceptance” to “end of the period of establishment”. In Paragraph 7, change “Final Acceptance date” to “end of the period of establishment” and change “date of Final Acceptance” to “end of the period of establishment”.

SECTION 626
HIGHWAY SIGNING

626.034 Concrete Foundations Add to the following to the end of the second paragraph: “Pre-cast and cast-in-place foundations shall be warranted against leaning and corrosion for two years after the project is completed. If the lean is greater than 2 degrees from normal or the foundation is spalling within the first two years, the Contractor shall replace the foundation at no extra cost.”

SECTION 627
PAVEMENT MARKINGS

627.10 Basis of Payment Add to the following to the end of the third paragraph: “If allowed by Special Provision, the Contractor may utilize Temporary Bi-Directional Yellow and White(As required) Delineators as temporary pavement marking lines and paid for at the contract lump sum price. Such payment will include as many applications as required and removal.”

SECTION 637
DUST CONTROL

637.06 Basis of Payment Add the following after the second sentence of the third paragraph: “Failure by the Contractor to follow Standard Specification or Special Provision - Section 637 and/or the Contractor’s own Soil Erosion and Pollution Control Plan concerning Dust Control and/or the Contractor’s own Traffic Control Plan concerning Dust Control and/or visible evidence of excessive dust problems, as determined by the Resident, will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department’s Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item. Additional penalties may also be assessed in accordance with Special Provision 652 - Work Zone Traffic Control and Standard Specification 656 - Temporary Soil Erosion and Water Pollution Control.”

SECTION 639
ENGINEERING FACILITIES

639.04 Field Offices Change the forth to last paragraph from: “The Contractor shall provide a fully functional desktop copier...” to “....desktop copier/scanner...”

Description Change “Floor Area” to “Floor Area (Outside Dimension)”. Change Type B floor area from “15 (160)” to “14.4 (155)”.

SECTION 652

MAINTENANCE OF TRAFFIC

652.2.3 Flashing Arrow Board Delete the existing 5 paragraphs and replace with the following: Flashing Arrow Panels (FAP) must be of a type that has been submitted to AASHTO's National Transportation Product Evaluation Program (NTPEP) for evaluation and placed on the Maine Department of Transportation's Approved Products List of Portable Changeable Message Signs & Flashing Arrow Panels.

FAP units shall meet requirements of the current Manual on Uniform Traffic Control Devices (MUTCD) for Type "C" panels as described in Section 6F.56 - Temporary Traffic Control Devices. An FAP shall have matrix of a minimum of 15 low-glare, sealed beam, Par 46 elements capable of either flashing or sequential displays as well as the various operating modes as described in the MUTCD, Chapter 6-F. If an FAP consisting of a bulb matrix is used, each element should be recess-mounted or equipped with an upper hood of not less than 180 degrees. The color presented by the elements shall be yellow.

FAP elements shall be capable of at least a 50 percent dimming from full brilliance. Full brilliance should be used for daytime operation and the dimmed mode shall be used for nighttime operation. FAP shall be at least 2.4 M x 1.2 M [96" x 48"] and finished in non-reflective black. The FAP shall be interpretable for a distance not less than 1.6 km [1 mile].

Operating modes shall include, flashing arrow, sequential arrow, sequential chevron, flashing double arrow, and flashing caution. In the three arrow signals, the second light from the arrow point shall not operate.

The minimum element on-time shall be 50 percent for the flashing mode, with equal intervals of 25 percent for each sequential phase. The flashing rate shall be not less than 25 nor more than 40 flashes per minute. All on-board circuitry shall be solid state.

Primary power source shall be 12 volt solar with a battery back-up to provide continuous operation when failure of the primary power source occurs, up to 30 days with fully charged batteries. Batteries must be capable of being charged from an onboard 110 volt AC power source and the unit shall be equipped with a cable for this purpose.

Controller and battery compartments shall be enclosed in lockable, weather-tight boxes. The FAP shall be mounted on a pneumatic-tired trailer or other suitable support for hauling to various locations, as directed. The minimum mounting height of an arrow panel should be 2.1 M [7 feet] from the roadway to the bottom of the panel.

The face of the trailer shall be delineated on a permanent basis by affixing retro-reflective material, known as conspicuity material, in a continuous line as seen by oncoming drivers.

A portable changeable message sign may be used to simulate an arrow panel display."

652.2.4 Other Devices Delete the last paragraph and add the following:

"652.2.5 Portable Changeable Message Sign Trailer mounted Portable Changeable Message Signs (PCMS) must be of a type that has been submitted to AASHTO's National

Transportation Product Evaluation Program (NTPEP) for evaluation and placed on the Maine Department of Transportations' Approved Products List of Portable Changeable Message Signs & Flashing Arrow Panels. The PCMS unit shall meet or exceed the current specifications of the Manual on Uniform Traffic Control Devices (MUTCD), 6F.55.

The front face of the sign should be covered with a low-glare protective material. The color of the LED elements shall be amber on a black background. The PCMS should be visible from a distance of 0.8 km [0.5 mile] day and night and have a minimum 15° viewing angle. Characters must be legible from a distance of at least 200 M [650 feet].

The message panel should have adjustable display rates (minimum of 3 seconds per phase), so that the entire message can be read at least twice at the posted speed, the off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed. Each message shall consist of either one or two phases. A phase shall consist of up to eight characters per line. The unit must be capable of displaying at least three lines of text with eight characters per line. Each character shall be 457 mm [18"] high. Each character module shall use at least a five wide and seven high pixel matrix. The text of the messages shall not scroll or travel horizontally or vertically across the face of the sign.

Units shall automatically adjust their brightness under varying light conditions to maintain legibility.

The control system shall include a display screen upon which messages can be reviewed before being displayed on the message sign. The control system shall be capable of maintaining memory when power is unavailable. Message must be changeable with either a notebook computer or an on-board keypad. The controller shall have the capability to store a minimum of 200 user-defined and 200 pre-programmed messages. Controller and battery compartments shall be enclosed in lockable, weather-tight boxes.

PCMS units shall have the capability of being made programmable by means of wireless communications. PCMS units shall also be fully capable of having an on-board radar system installed if required for a particular application.

PCMS' primary power source shall be solar with a battery back-up to provide continuous operation when failure of the primary power source occurs. Batteries must be capable of being charged from a 110 volt AC power source. The unit must also be capable of being operated solely from a 110 volt AC power source and be equipped with a cable for this purpose.

The PCMS shall be mounted on a trailer in such a way that the bottom of the message sign panel shall be a minimum of 2.1 M [7 ft] above the roadway in urban areas and 1.5 M [5 ft] above the roadway in rural areas when it is in the operating mode. PCMS trailers should be of a heavy duty type with a 51 mm [2"] ball hitch and a minimum of four leveling jacks (at each corner). The sign shall be capable of being rotated 360° relative to the trailer. The face of the trailer shall be delineated on a permanent basis by affixing retro-reflective material, known as conspicuity material, in a continuous line as seen by oncoming drivers."

652.3.3 Submittal of Traffic Control Plan In item e. change "A list of all certified flaggers..." to "A list of all the Contractor's certified flaggers..."

In the last paragraph add the following as the second sentence: “The Department will review and provide comments to the Contractor within 14 days of receipt of the TCP.”

652.3.5 Installation of Traffic Control Devices In the first paragraph, first sentence; change “Signs shall be erected...” to “Portable signs shall be erected...” In the third sentence; change “Signs must be erected so that the sign face...” to “Post-mounted signs must also be erected so that the sign face...”

652.4 Flaggers Replace the first paragraph with the following; “The Contractor shall furnish flaggers as required by the TCP or as otherwise specified by the Resident. All flaggers must have successfully completed a flagger test approved by the Department and administered by a Department-approved Flagger-Certifier who is employing that flagger. All flaggers must carry an official certification card with them while flagging that has been issued by their employer. Flaggers shall wear safety apparel meeting ANSI 107-1999 Class 2 risk exposure and clearly identify the wearer as a person, shall be visible at a minimum distance of 300 m [1000 ft], and shall wear a hardhat with retroreflectivity. For nighttime conditions, Class 3 apparel should be considered, retroreflective or flashing SLOW/STOP paddles shall be used, and except in emergency situations the flagger station shall be illuminated to assure visibility.”

Second paragraph, first sentence; change “...have sufficient distance to stop before entering the workspace.” to “...have sufficient distance to stop at the intended stopping point.” Third sentence; change “At a spot obstruction...” to “At a spot obstruction with adequate sight distance,...”

Fourth paragraph, delete and replace with “Flaggers shall be provided as a minimum, a 10 minute break, every 2 hours and a 30 minute or longer lunch period away from the work station. Flaggers may only receive 1 unpaid break per day; all other breaks must be paid. Sufficient certified flaggers shall be available onsite to provide for continuous flagging operations during break periods. Breaker flaggers will not be paid for separately, but shall be considered incidental to the appropriate pay item.”

652.8.2 Other Items Replace the last paragraph with the following: “There will be no payment made under any 652 pay items after the expiration of the adjusted total contract time.”

SECTION 653 POLYSTYRENE PLASTIC INSULATION

653.05 Placing Backfill In the second sentence; change “...shall be not less than 150 mm [6 in] loose measure.” to “...shall be not less than 250 mm [10 in] loose measure.” In the third sentence; change “...crawler type bulldozer of not more than 390 kg/m² [80 lb/ft²] ground contact pressure...” to “...crawler type bulldozer of not more than 4875 kg/m² [2000 lb/ft²] ground contact pressure...”

653.06 Compaction In the last sentence; change “...not more than 390 kg/m² [80 lb/ft²] ground contact...” to “...not more than 4875 kg/m² [2000 lb/ft²] ground contact...”

SECTION 656

TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL

656.5.1 If Pay Item 656.75 Provided Replace the second paragraph with the following: "Failure by the Contractor to follow Standard Specification or Special Provision - Section 656 and/or the Contractor's own Soil Erosion and Pollution Control Plan will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department's Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item."

SECTION 701

STRUCTURAL CONCRETE RELATED MATERIALS

701.10 Fly Ash - Chemical Requirements Change all references from "ASTM C311" to "ASTM C114".

SECTION 703

AGGREGATES

703.05 Aggregate for Sand Leveling Change the percent passing the 9.5 mm [3/8 in] sieve from "85 - 10" to "85 - 100"

703.06 Aggregate for Base and Subbase Delete the first paragraph: "The material shall have..." and replace with "The material shall have a minimum degradation value of 15 as determined by Washington State DOT Test Method T113, Method of Test for Determination of Degradation Value (March 2002 version), except that the reported degradation value will be the result of testing a single specimen from that portion of a sample that passes the 12.5 mm [1/2 in] sieve and is retained on the 2.00 mm [No. 10] sieve, minus any reclaimed asphalt pavement used."

703.07 Aggregates for HMA Pavements Delete the fourth paragraph: "The composite blend shall have..." and replace with "The composite blend, minus any reclaimed asphalt pavement used, shall have a Micro-Deval value of 18.0 or less as determined by AASHTO T 327. In the event the material exceeds the Micro Deval limit, a Washington Degradation test shall be performed. The material shall be acceptable if it has a value of 30 or more as determined by Washington State DOT Test Method T 113, Method of Test for Determination of Degradation Value (March 2002 version) except that the reported degradation value will be the result of testing a single composite specimen from that portion of the sample that passes the 12.5mm [1/2 inch] sieve and is retained on the 2.00mm [No 10] sieve, minus any reclaimed asphalt pavement used."

703.18 Common Borrow Replace the first paragraph with the following: "Common borrow shall consist of earth, suitable for embankment construction. It shall be free from frozen material, perishable rubbish, peat, and other unsuitable material including material currently or previously contaminated by chemical, radiological, or biological agents unless the material is from a DOT project and authorized by DEP for use."

703.22 Underdrain Backfill Material Change the first paragraph from "...for Underdrain Type B..." to "...for Underdrain Type B and C..."

SECTION 706 NON-METALLIC PIPE

706.06 Corrugated Polyethylene Pipe for Underdrain, Option I and Option III Culvert Pipe Change the first sentence from "...300 mm diameters to 900 mm" to "...300 mm diameters to 1200 mm" Delete, in it's entirety, the last sentence which begins "This pipe and resins..." and replace with the following; "The manufacturing plants of polyethylene pipe shall be certified by the Eastern States Consortium. Polyethylene pipe shall be accepted based on third party certification by the AASHTO's National Transportation Product Evaluation Program."

SECTION 709 REINFORCING STEEL AND WELDED STEEL WIRE FABIC

709.03 Steel Strand Change the second paragraph from "...shall be 12mm [½ inch] AASHTO M203M/M203 (ASTM A416/A416M)..." to "...shall be 15.24 mm [0.600 inch] diameter AASHTO M203 (ASTM A416)..."

SECTION 710 FENCE AND GUARDRAIL

710.03 Chain Link Fabric Add the following sentence: "Chain Link fabric for PVC coated shall conform to the requirements of AASHTO M181, Type IV-Class B."

710.07 Guardrail Posts Section b. change "...AASHTO M183/M183M..." to "...AASHTO M 270M/M 270 Grade 250 (36)..."

SECTION 712 MISCELLANEOUS HIGHWAY MATERIALS

712.06 Precast Concrete Units In the first paragraph, change "...ASTM C478M..." to "...AASHTO M199..." Delete the second paragraph and replace with the following; "Approved structural fibers may be used as a replacement of 6 x 6 #10 gauge welded wire fabric when used at an approved dosage rate for the construction of manhole and catch basin units. The material used shall be one of the products listed on the Maine Department of Transportation's Approved Product List of Structural Fiber Reinforcement." Delete the fifth paragraph and replace with the following; "The concrete mix design shall be approved by the Department. Concrete shall contain 6% air content, plus or minus 1½% tolerance when tested according to AASHTO T152. All concrete shall develop a minimum compressive strength of 28 MPa [4000 psi] in 28 days when tested according to AASHTO T22. The absorption of a specimen, when tested according to AASHTO T280, Test Method "A", shall not exceed nine percent of the dry mass."

Add the following:

"712.07 Tops, and Traps These metal units shall conform to the plan dimensions and to the following specification requirements for the designated materials.

Gray iron or ductile iron castings shall conform to the requirements of AASHTO M306 unless otherwise designated.”

712.08 Corrugated Metal Units The units shall conform to plan dimensions and the metal to AASHTO M36/M36M. Bituminous coating, when specified, shall conform to AASHTO M190 Type A.

712.09 Catch Basin and Manhole Steps Steps for catch basins and for manholes shall conform to ASTM C478M [ASTM C478], Section 13 for either of the following material:

- (a) Aluminum steps-ASTM B221M, [ASTM B211] Alloy 6061-T6 or 6005-T5.
- (b) Reinforced plastic steps Steel reinforcing bar with injection molded plastic coating copolymer polypropylene. Polypropylene shall conform to ASTM D 4101.

712.23 Flashing Lights Flashing Lights shall be power operated or battery operated as specified.

- (a) Power operated flashing lights shall consist of housing, adapters, lamps, sockets, reflectors, lens, hoods and other necessary equipment designed to give clearly visible signal indications within an angle of at least 45 degrees and from 3 to 90 m [10 to 300 ft] under all light and atmospheric conditions.

Two circuit flasher controllers with a two-circuit filter capable of providing alternate flashing operations at the rate of not less than 50 nor more than 60 flashes per minute shall be provided.

The lamps shall be 650 lumens, 120 volt traffic signal lamps with sockets constructed to properly focus and hold the lamp firmly in position.

The housing shall have a rotatable sun visor not less than 175 mm [7 in] in length designed to shield the lens.

Reflectors shall be of such design that light from a properly focused lamp will reflect the light rays parallel. Reflectors shall have a maximum diameter at the point of contact with the lens of approximately 200 mm [8 in].

The lens shall consist of a round one-piece convex amber material which, when mounted, shall have a visible diameter of approximately 200 mm [8 in]. They shall distribute light and not diffuse it. The distribution of the light shall be asymmetrical in a downward direction. The light distribution of the lens shall not be uniform, but shall consist of a small high intensity portion with narrow distribution for long distance throw and a larger low intensity portion with wide distribution for short distance throw. Lenses shall be marked to indicate the top and bottom of the lens.

- (b) Battery operated flashing lights shall be self-illuminated by an electric lamp behind the lens. These lights shall also be externally illuminated by reflex-reflective elements built into the lens to enable it to be seen by reflex-reflection of the light from the headlights of oncoming traffic. The batteries must be entirely enclosed in a case. A

locking device must secure the case. The light shall have a flash rate of not less than 50 nor more than 60 flashes per minute from minus 30 °C [minus 20 °F] to plus 65 °C [plus 150 °F]. The light shall have an on time of not less than 10 percent of the flash cycle. The light beam projected upon a surface perpendicular to the axis of the light beam shall produce a lighted rectangular projection whose minimum horizontal dimension shall be 5 degrees each side of the horizontal axis. The effective intensity shall not have an initial value greater than 15.0 candelas or drop below 4.0 candelas during the first 336 hours of continuous flashing. The illuminated lens shall appear to be uniformly bright over its entire illuminated surface when viewed from any point within an angle of 9 degrees each side of the vertical axis and 5 degrees each side of the horizontal axis. The lens shall not be less than 175 mm [7 in] in diameter including a reflex-reflector ring of 13 mm [½ in] minimum width around the periphery. The lens shall be yellow in color and have a minimum relative luminous transmittance of 0.440 with a luminance of 2854° Kelvin. The lens shall be one-piece construction. The lens material shall be plastic and meet the luminous transmission requirements of this specification. The case containing the batteries and circuitry shall be constructed of a material capable of withstanding abuse equal to or greater than 1.21 mm thick steel [No. 18 U.S. Standard Gage Steel]. The housing and the lens frame, if of metal shall be properly cleaned, degreased and pretreated to promote adhesion. It shall be given one or more coats of enamel which, when dry shall completely obscure the metal. The enamel coating shall be of such quality that when the coated case is struck a light blow with a sharp tool, the paint will not chip or crack and if scratched with a knife will not powder. The case shall be so constructed and closed as to exclude moisture that would affect the proper operation of light. The case shall have a weep hole to allow the escape of moisture from condensation. Photoelectric controls, if provided, shall keep the light operating whenever the ambient light falls below 215 lx [20 foot candles]. Each light shall be plainly marked as to the manufacturer's name and model number.

If required by the Resident, certification as to conformance to these specifications shall be furnished based on results of tests made by an independent testing laboratory. All lights are subject to random inspection and testing. All necessary random samples shall be provided to the Resident upon request without cost to the Department. All such samples shall be returned to the Contractor upon completion of the tests.

712.32 Copper Tubing Copper tubing and fittings shall conform to the requirements of ASTM B88M Type A [ASTM B88, Type K] or better.

712.33 Non-metallic Pipe, Flexible Non-metallic pipe and pipe fittings shall be acceptable flexible pipe manufactured from virgin polyethylene polymer suitable for transmitting liquids intended for human or animal consumption.

712.34 Non-metallic Pipe, Rigid Non-metallic pipe shall be Schedule 40 polyvinylchloride (PVC) that meets the requirement of ASTM D1785. Fittings shall be of the same material.

712.341 Metallic Pipe Metallic pipe shall be ANSI, Standard B36.10, Schedule 40 steel pipe conforming to the requirements of ASTM A53 Types E or S, Grade B. End plates shall be steel conforming to ASTM A36/A36M.

Both the sleeve and end plates shall be hot dip galvanized. Pipe sleeve splices shall be welded splices with full penetration weld before galvanizing.

712.35 Epoxy Resin Epoxy resin for grouting or sealing shall consist of a mineral filled thixotropic, flexible epoxy resin having a pot life of approximately one hour at 10°C [50°F]. The grout shall be an approved product suitable for cementing steel dowels into the preformed holes of curb inlets and adjacent curbing. The sealant shall be an approved product, light gray in color and suitable for coating the surface.

712.36 Bituminous Curb The asphalt cement for bituminous curb shall be of the grade required for the wearing course, or shall be Viscosity Grade AC-20 meeting the current requirements of Subsection 702.01 Asphalt Cement. The aggregate shall conform to the requirements of Subsection 703.07. The coarse aggregate portion retained on the 2.36 mm [No. 8] sieve may be either crushed rock or crushed gravel.

The mineral constituents of the bituminous mixture shall be sized and graded and combined in a composite blend that will produce a stable durable curbing with an acceptable texture.

Bituminous material for curb shall meet the requirements of Section 403 - Hot Bituminous Pavement.

712.37 Precast Concrete Slab Portland cement concrete for precast slabs shall meet the requirements of Section 502 - Structural Concrete, Class A.

The slabs shall be precast to the dimension shown on the plans and cross section and in accordance with the Standard Detail plans for Concrete Sidewalk Slab. The surface shall be finished with a float finish in accordance with Subsection 502.14(c). Lift devices of sufficient strength to hold the slab while suspended from cables shall be cast into the top or back of the slab.

712.38 Stone Slab Stone slabs shall be of granite from an acceptable source, hard, durable, predominantly gray in color, free from seams which impair the structural integrity and be of smooth splitting character. Natural color variations characteristic of the deposit will be permitted. Exposed surfaces shall be free from drill holes or indications of drill holes. The granite slabs in any one section of backslope must be all the same finish.

The granite slabs shall be scabble dressed or sawed to an approximately true plane having no projections or depressions over 13 mm [$\frac{1}{2}$ in] under a 600 mm [2 ft] straightedge or over 25 mm [1 in] under a 1200 mm [4 ft] straightedge. The arris at the intersection of the top surface and exposed front face shall be pitched so that the arris line is uniform throughout the length of the installed slabs. The sides shall be square to the exposed face unless the slabs are to be set on a radius or other special condition which requires that the joints be cut to fit, but in any case shall be so finished that when the stones are placed side by side no space more than 20 mm [$\frac{3}{4}$ in] shall show in the joint for the full exposed height.

Liftpin holes in all sides will be allowed except on the exposed face.

SECTION 717
ROADSIDE IMPROVEMENT MATERIAL

717.03 C. Method #3 - Roadside Mixture #3 Change the seed proportions to the following:

Crown Vetch	25%
Perennial Lupine	25%
Red Clover	12.5%
Annual Rye	37.5%

717.05 Mulch Binder Change the third sentence to read as follows:

“Paper fiber mulch may be used as a binder at the rate of 2.3 kg/unit [5 lb/unit].”

SECTION 720
STRUCTURAL SUPPORTS FOR HIGHWAY SIGNS, LUMINAIRES, AND
TRAFFIC SIGNALS

720.08 U-Channel Posts Change the first sentence from “..., U-Channel posts...” to “..., Rib Back U-Channel posts...”

SECTION 722
GEOTEXTILES

722.01 Stabilization/Reinforcement Geotextile Add the following to note #3; “The strengths specified in the columns labeled”<50%” and “≥ 50%” refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the “<50%” column. Submittals must include the percent elongation at which the material was tested.”

722.02 Drainage Geotextile Add the following to note #3; “The strengths specified in the columns labeled”<50%” and “≥ 50%” refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the “<50%” column. Submittals must include the percent elongation at which the material was tested.”

722.01 Erosion Control Geotextile Add the following note to Elongation in the Mechanical Property Table; “The strengths specified in the columns labeled”<50%” and “≥ 50%” refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the “<50%” column. Submittals must include the percent elongation at which the material was tested.”

Chapter 305: PERMIT BY RULE Section 11
State Transportation Facilities

- 1. Introduction.** A "permit by rule" or "PBR", when approved by the Department of Environmental Protection (DEP), is an approval for an activity that requires a permit under the Natural Resources Protection Act (NRPA). Only those activities described in this chapter may proceed under the PBR process. A PBR activity will not significantly affect the environment if carried out in accordance with this chapter, and generally has less of an impact on the environment than an activity requiring an individual permit. A PBR satisfies the Natural Resources Protection Act (NRPA) permit requirement and Water Quality Certification requirement.

If a proposed activity is not described in this chapter, or will not be conducted in accordance with the standards of this chapter, the applicant must obtain an individual permit prior to beginning the activity.

- A. Location of activity.** The location of an activity may affect whether an activity qualifies for PBR, and whether review by the Department of Inland Fisheries and Wildlife is required.

- (1) Type of resource. For some types of activities, the availability of a PBR is affected by the type of natural resource in or adjacent to which the activity is proposed. For example, an applicant proposing an activity consisting of "Movement of rocks or vegetation" may receive a PBR only if the activity will take place in a great pond, river, stream or brook. Limitations concerning the location of activities are addressed in the "Applicability" provision in each section of this chapter.
- (2) Essential habitat. Essential habitats include areas critical to the survival of threatened and endangered species such as the bald eagle, least tern, roseate tern, and piping plover. If the activity is located in essential habitat, such as near an eagle nesting site, a PBR is only available if the applicant obtains written approval from the Department of Inland Fisheries and Wildlife (IF&W). This approval from IF&W must be submitted to the DEP with the PBR notification form, and the applicant must follow any conditions stated in the IF&W approval.

NOTE: Maps showing areas of essential habitat are available from the Department of Inland Fisheries and Wildlife regional headquarters, municipal offices, the Land Use Regulation Commission (for unorganized territories) and DEP regional offices. If the activity is located in essential habitat, IF&W must be contacted to request and obtain a "certification of review and approval".

- B. Notification.** The applicant must file notice of the activity with the DEP prior to beginning work on the activity. The notification must be on a form provided by the DEP and must include any submissions required in this chapter. The applicant must keep a copy to serve as the permit.

The notification form must be sent to the DEP by certified mail (return receipt requested), or hand delivered to the DEP and date stamped by the department.

C. Effective period

- (1) Beginning of period. The PBR becomes effective 14 calendar days after the DEP receives the notification form, unless the DEP approves or denies the PBR prior to that date. If the DEP does not speak with or write to the applicant within this 14 day period regarding the PBR notification, the applicant may proceed to carry out the activity.

There are three exceptions regarding the effective date of an approved PBR:

- (a) Activities listed in Section 10 (Stream crossings) occurring in association with forest management are exempt from the 14 day waiting period.
- (b) Activities listed in Section 2 (Soil disturbance) and Section 10 (Stream crossings) performed or supervised by individuals currently certified in erosion control practices by the DEP are exempt from the 14 day waiting period. To be certified in erosion control practices, an individual must successfully complete all course requirements of the Voluntary Contractor Certification Program administered by the DEP's Nonpoint Source Training and Resource Center.
- (c) Activities that are part of a larger project requiring a permit under the Site Location of Development or the Storm Water Management Acts may not proceed until any required permit under those laws is obtained.

NOTE: Activities that are part of a larger project may require other permits from the DEP also. These other laws may prohibit the start of construction of any part of the project unless a permit under that law is obtained. In these cases, while not a violation of this rule, starting work on a PBR approved activity would be a violation of those other applicable laws.

- (2) End of period. The PBR is generally effective for 2 years from the date of approval, except that a PBR for "Replacement of structures" under Section 4 is effective for 3 years.

NOTE: Activities that qualify under this chapter may need to meet other local, state and federal requirements. Examples -- (1) If an activity extends below the low water line of a lake, coastal wetland or international boundary water, the applicant should contact the Bureau of Parks and Lands (287-3061) concerning possible lease or easement requirements, or (2) If an activity will involve work below the mean high water line in navigable waters of the United States, the applicant should contact the Army Corps of Engineers (623-8367).

D. Discretionary authority. Notwithstanding compliance with the PBR applicability requirements and standards set forth in this chapter, the DEP may require an individual permit application to be filed in any case where credible evidence indicates that the activity:

- (1) May violate the standards of the NRPA (38 M.R.S.A. Section 480-D);
- (2) Could lead to significant environmental impacts, including cumulative impacts; or
- (3) Could adversely impact a resource of special concern.

If an individual permit is required pursuant to this subsection, the DEP shall notify the applicant in writing within the 14 calendar day waiting period described in sub-section (C) above. When the DEP notifies an applicant that an individual permit is required, no work may be conducted unless and until the individual permit is obtained.

E. Violations. A violation of law occurs when a person, or his or her agent, performs or causes to be performed any activity subject to the NRPA without first obtaining a permit from the DEP, or acts contrary to the provisions of a permit. The person, his or her agent, or both, may be held

responsible for the violation. Commonly, the "person" is the landowner, and the "agent" is the contractor carrying out the activity. A violation occurs when:

- (1) An activity occurs that is not allowed under PBR, whether or not a PBR notification form has been filed with and/or approved by the DEP;
- (2) An activity occurs that is allowed under PBR, but a PBR for the activity has not become effective prior to the beginning of the activity; or
- (3) An activity occurs that is allowed under PBR and a PBR for the activity is in effect, but the standards specified in this chapter are not met.

See the "applicability" provision under each activity for rules concerning what activities are allowed under PBR. A PBR is only valid for the person listed on the notification form, or for his or her agent.

Each day that a violation occurs or continues is considered a separate offense. Violations are subject to criminal penalties and civil penalties of not less than \$100 nor more than \$10,000 for each day of that violation (38 M.R.S.A. Section 349).

NOTE: A local Code Enforcement Officer (CEO) may take enforcement action for a violation of the Natural Resources Protection Act if he or she is authorized to represent a municipality in District Court, and he or she has been certified as familiar with court procedures, 30-A M.R.S.A. Section 4452(7).

Chapter 305 Section 11

State transportation facilities

A. Applicability

- (1) This section applies to the maintenance, repair, reconstruction, rehabilitation, replacement or minor construction of a State Transportation Facility carried out by, or under the authority of, the Maine Department of Transportation or the Maine Turnpike Authority, including any testing or preconstruction engineering, and associated technical support services.
- (2) This section does not apply to an activity within a coastal sand dune system.

NOTE: The construction of a transportation facility other than roads and associated facilities may be subject to the Storm Water Management Law, 38 M.R.S.A. Section 420-D.

B. Standards

- (1) Photographs of the area to be altered by the activity must be taken before work on the site begins. The photographs must be kept on file and be made available at the request of the DEP.
- (2) The activity must be reviewed by the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Atlantic Salmon Authority, and the DEP's Division of Environmental Assessment prior to the notification being filed with the DEP. The activity must be performed according to any recommendations from these authorities.
- (3) The activity must be performed in accordance with erosion control measures conforming with the State of Maine Department of Transportation Standard Specifications for Highways and Bridges Revision of April 1995 and with the Department of Transportation's Best Management Practices for Erosion and Sediment Control, September 1997.

NOTE: Guidance on the use of erosion control best management practices can be obtained from the on site Construction Manager.

- (4) Alignment changes may not exceed a distance of 200 feet between the old and new center lines in any natural resource.
- (5) The activity may not alter more than 300 feet of shoreline (both shores added together) within a mile stretch of any river, stream or brook, including any bridge width or length of culvert.
- (6) The activity may not alter more than 150 feet of shoreline (both shores added together) within a mile stretch of any outstanding river segment identified in 38 M.R.S.A. 480-P, including any bridge width or length of culvert.
- (7) The activity must minimize wetland intrusion. The activity is exempt from the provisions of Chapter 310, the Wetland Protection Rules, if the activity alters less than 15,000 square feet of natural resources per mile of roadway (centerline measurement) provided that the following impacts are not exceeded within the 15,000 square foot area:

- (a) 1,000 square feet of coastal wetland consisting of salt tolerant vegetation or shellfish habitat; or
- (b) 5,000 square feet of coastal wetland not containing salt tolerant vegetation or shellfish habitat; or
- (c) 1,000 square feet of a great pond.

All other activities must be performed in compliance with all sections of Chapter 310, the Wetland Protection Rules, except 310.2(C), 5(A), 9(1), 9(B) and 9(C).

- (8) The activity may not permanently block any fish passage in any watercourse containing fish. The applicant must improve passage beyond what restriction may already exist unless the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Atlantic Salmon Authority and the DEP's Division of Environmental Assessment concur that the improvement is not necessary.
- (9) Rocks may not be removed from below the normal high water line of any coastal wetland, freshwater wetland, great pond, river, stream or brook except to the minimum extent necessary for completion of work within the limits of construction.
- (10) If work is performed in a river, stream or brook that is less than three feet deep at the time and location of the activity, with the exception of culvert installation, the applicant must divert flow away from the activity while work is in progress.
 - (a) Diversion may be accomplished by the use of stable, inert material. No more than two thirds (2/3) of stream width may be diverted at one time.
 - (b) Any material used to divert water flow must be completely removed upon completion of the activity, and the stream bottom must be restored to its original condition.
 - (c) A pump may be operated, where necessary, for a temporary diversion. The pump outlet must be located and operated such that erosion or the discharge of sediment to the water is prevented.

NOTE: Guidance on the appropriate location of a diversion and materials which should be used for a stream diversion can be obtained from the on site Construction Manager.

- (11) Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom.
- (12) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms.
- (13) Any debris or excavated material must be stockpiled either outside the wetland or on mats or platforms. Hay bales or silt fence must be used, where necessary, to prevent sedimentation. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body. Disposal of debris must be in conformance with the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 et seq.

- (14) Work below the normal high water line of a great pond, river, stream or brook must be done at low water except for emergency work or work agreed to by the resource agencies listed in paragraph 2 above. Measures, such as a silt boom or staked fencing, must be employed to reduce and isolate turbidity.
- (15) Perimeter controls must be installed before the work starts. Disturbance of natural resources beyond the construction limits shown on the plans is not allowed under this rule.

NOTE: Guidance on the location of construction limits can be obtained from the on site Construction Manager.

- (16) The use of untreated lumber is preferred. Lumber pressure treated with chromated copper arsenate (CCA) may be used, provided it is cured on dry land in a manner that exposes all surfaces to the air for a period of at least 21 days prior to construction. Wood treated with creosote or pentachlorophenol may not be used where it will contact water.
- (17) A temporary road for equipment access must be constructed of crushed stone, blasted ledge, or similar materials that will not cause sedimentation or restrict fish passage. Such roads must be completely removed at the completion of the activity. In addition, any such temporary roads which are in rivers, streams or brooks, must allow for a passage of stormwater flows associated with a 10-year storm.
- (18) Soil may not be disturbed during any period when soils are saturated due to rain or snow melt, except as necessary to protect work in progress or as required for bridge maintenance activities. Areas where soils are saturated (i.e. water drips from the soil when squeezed by hand, or the soil is capable of being rolled into a rod 1/8th inch in diameter that does not crumble) must be immediately mulched if they are disturbed.
- (19) Disturbed soil must be protected within one week from the time it was last actively worked, and prior to any storm event, using temporary or permanent measures such as the placement of riprap, sod, mulch, erosion control blankets, or other comparable measures.
- (20) Hay bale or straw mulch, where used, must be applied at a rate of at least one bale per 500 square feet (1 to 2 tons per acre).
- (21) If mulch is likely to be moved because of steep slopes or wind exposure, it must be anchored with netting, peg and twine, binder or other suitable method and must be maintained until a catch of vegetation is established over the entire disturbed area.
- (22) In addition to the placement of riprap, sod, erosion control blankets or mulch, additional steps must be taken where necessary to prevent sedimentation of the water. Evidence of sedimentation includes visible sheet, rill or gully erosion, discoloration of water by suspended particles and/or slumping of banks. Silt fences, staked hay bales and other sedimentation control measures, where planned for, must be in place prior to the commencement of an activity, but must also be installed whenever necessary to prevent erosion and sedimentation.

NOTE: Guidance on the location and proper installation of erosion control measures can be obtained from the on site Construction Manager.

- (23) Temporary erosion control measures must be maintained and inspected weekly until the site is permanently stabilized with vegetation or other permanent control measures. Erosion control measures must also be inspected immediately prior to and following storms.
- (24) Permanent erosion control measures protecting all disturbed areas must be implemented within 30 days from the time the areas were last actively worked, or for fall and winter activities by the following June 15, except where precluded by the type of activity (e.g. riprap, road surfaces, etc.). The permanent erosion control measures must be maintained.
- (25) The applicant shall immediately take appropriate measures to prevent erosion or sedimentation from occurring or to correct any existing problems, regardless of the time of year.
- (26) Non-native species may not be planted in restored areas.
- (27) Disposal of debris must be in conformance with Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Sections 1301 et seq.
- (28) Disturbance of vegetation must be avoided, if possible. Where vegetation is disturbed outside of the area covered by any road or structure construction, it must be reestablished immediately upon completion of the activity and must be maintained.
- (29) A vegetated area at least 25 feet wide must be established and maintained between any new stormwater outfall structure and the high water line of any open water body. A velocity reducing structure must be constructed at the outlet of the stormwater outfall that will create sheet flow of stormwater, and prevent erosion of soil within the vegetated buffer. If the 25 foot vegetated buffer is not practicable, the applicant must explain the reason for a lesser setback in writing. Approval from the DEP must be in writing and any recommendations must be incorporated into the activity.

C. Definitions. The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- (1) Diversion. A rerouting of a river, stream or brook to a location outside of its established channel.
- (2) Fill. a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or immediately adjacent to a wetland or water body.
- (3) Floodplain wetlands. Freshwater wetlands that are inundated with flood water during a 100-year flood event based on flood insurance maps produced by the Federal Emergency Agency or other site specific information.
- (4) Riprap. Rocks that are fit into place, usually without mortar, on a slope as defined in the State of Maine, Department of Transportation, Standard Specifications for Highway and Bridges, revision of April 1995.

**DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
STATE OF MAINE**

The New England District of the U.S. Army Corps of Engineers hereby issues a Programmatic General Permit (PGP) that expedites review of minimal impact work in coastal and inland waters and wetlands within the State of Maine.

I. GENERAL CRITERIA

Activities with minimal impacts, as specified by the terms and conditions of this PGP and on the attached Appendix A, Definition of Categories, are either:

Category 1: Non-reporting. Eligible without screening (provided the authorizations are obtained which this permit states are necessary for activities to be eligible for authorization under this non-reporting category), or,

Category 2: Reporting. Require screening and a written determination of eligibility under the PGP by the Corps after coordination with the U.S. Fish and Wildlife Service (U.S. FWS), U.S. Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS).

This PGP does not affect the Corps Individual Permit review process or activities exempt from Corps jurisdiction.

II. ACTIVITIES COVERED:

Work and structures that are located in, or that affect, navigable waters of the United States (U.S.) (Corps regulates under Section 10 of the Rivers and Harbors Act of 1899); the discharge of dredged or fill material into waters of the United States (Corps regulates under Section 404 of the Clean Water Act); and the transportation of dredged material for the purpose of disposal in the ocean (Corps regulates under Section 103 of the Marine Protection, Research and Sanctuaries Act).

III. PROCEDURES:

A. State Approvals

For projects authorized pursuant to this PGP, the following State approvals are also required. The applicable permits must be obtained in order for this PGP authorization to be valid (applicants are responsible for ensuring that all required State permits and approvals have been applied for and obtained):

- Maine Department of Environmental Protection (DEP): Natural Resources Protection Act (NRPA) permit, including permit-by-rule and general permit authorizations (NRPA permit issuance constitutes both the state permit and the WQC); Site Location of Development Act permit; and Maine Waterway Development and Conservation Act permit.
- Maine Department of Conservation: Land Use Regulation Commission (LURC) permit.
- Maine Department of Marine Resources: Lease.
- Maine Department of Conservation, Bureau of Parks and Lands, Submerged Lands: Lease

NOTE: This PGP may authorize projects that are not regulated by the State of Maine (e.g., seasonal floats or moorings).

B. Corps Authorizations

CATEGORY 1 (Non-Reporting)

Eligibility Criteria

Activities in Maine may proceed without application or notification to the Corps if they:

- Are subject to Corps jurisdiction (see General Condition 2, Page 7),
- Meet the definition of Category 1 in Appendix A - Definition of Categories, and
- Meet the General Conditions of the PGP (see Pages 7 - 15).

If the State or the Corps does not contact the applicant for DEP's Tier One permits during the DEP's Tier One 30-day review period, Corps approval may be assumed and the project may proceed. Refer to the Federal Screening Procedures (see Page 4) for additional information regarding screening.

Project proponents seeking Category 1 authorizations are not relieved of the obligation to comply with this PGP's General Conditions (see Page 7) and other Federal laws such as the National Historic Preservation Act, the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Therefore, consultation with the Corps and/or outside experts such as the Maine Historic Preservation Commission and the appropriate Indian tribes is recommended when there is a high likelihood of the presence of resources of concern.

Although Category 1 projects are non-reporting, the Corps reserves the right to require screening under Category 2 or Individual Permit review if there are concerns for the aquatic environment or any other factor of the public interest (see General Condition 4, Discretionary Authority, Page 7).

Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, is eligible for Corps authorization under this PGP in accordance with the review thresholds and conditions contained herein. The Maine DEP and LURC have waived WQC for projects authorized under Categories 1 and 2 of this PGP and not subject to jurisdiction under the NRPA and LURC Land Use Districts and Standards.

Enforcement cases. This PGP does not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps or EPA enforcement action until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action. The Corps may choose not to accept applications or issue permits to any applicant with outstanding violations.

CATEGORY 2 (Reporting – Requiring Screening)

Eligibility Criteria

Activities in Maine require written approval from the Corps if they:

- Are subject to Corps jurisdiction (see General Condition 2, Page 7),
- Meet the definition of Category 2 in Appendix A - Definition of Categories, and
- Meet the General Conditions of the PGP (see Pages 7 - 15),

These projects will be reviewed through interagency screening (see Federal Screening Procedures below) to determine whether such activities may be authorized under this PGP. To be eligible and

subsequently authorized, an activity must result in minimal impacts to the aquatic environment as determined by the Corps based on comments from the review team and the criteria listed above. Mitigation may be required to compensate for unavoidable impacts to ensure net effects of a project are minimal.

For Category 2 projects, applicants must obtain a written authorization from the Corps and State approvals as stated on Page 1.

To ensure compliance with the conditions of this PGP, consultation with the Corps and outside experts is required. This includes consultation with the Maine Historic Preservation Commission and the appropriate Native American Indian tribes to ensure compliance with Condition 8. Also, note the review thresholds under Category 2 apply to single and complete projects only (see General Condition 5).

Enforcement cases. See previous section.

Application Procedures

The Corps must review and approve in writing all Category 2 activities. Generally, the State will provide the Corps with a copy of State applications received, but it is ultimately the applicant's responsibility to ensure the Corps receives the application from the State. Therefore, it is recommended that applicants either verify with the Corps receipt of their application from the State (DEP or LURC), or apply directly to the Corps with either a copy of their State application or a Corps application (ENG Form 4345). Applicants must apply directly to the Corps using ENG Form 4345 if the work is not State regulated.

Upon receipt of the application, the Corps will determine if it:

- (a) requires additional information (see "information typically required" on the following page);
- (b) is appropriate for screening with the Federal resource agencies (see Category 2 Federal Screening Procedures on the following page);
- (c) is ineligible under the terms and/or conditions of this PGP; or
- (d) will require Individual Permit review, regardless of whether the terms and conditions of this PGP are met, based on concerns for the aquatic environment or any other factor of the public interest (see General Condition 4, Discretionary Authority).

If open water disposal is proposed, the Corps will make a suitability determination, fully coordinated with the Federal resource agencies, before coordinating a project at a joint processing meeting.

All Category 2 applicants shall submit a copy of their application materials to the Maine Historic Preservation Commission and the Indian tribe(s) listed on Page 17, at the same time, or before, they apply to the DEP, LURC, or the Corps, to be reviewed for the presence of historic, archaeological or tribal resources in the permit area that the proposed work may affect. Submittals to the DEP or Corps shall include information to indicate that this has been done (a copy of the applicant's cover letter to Maine Historic Preservation Commission and tribes or a copy of the Historic Preservation Commission and tribal response letters is acceptable).

Information Typically Required

The following information may not be necessary for all projects. Please see www.nae.usace.army.mil for a more comprehensive checklist. Select "Regulatory/Permitting," "Forms" and then "Application and Plan Guideline Checklist." Please check with our Maine office for project-specific requirements.

- (a) purpose of project;
- (b) 8½"x 11" locus map. 8½"x 11" plan views of the entire property, including property lines, and project limits with existing and proposed conditions;
- (c) typical cross-section views of all wetland and waterway fill areas and wetland replication areas;
- (d) legible, reproducible plans. Show mean low water (MLW), mean high water (MHW) and high tide line (HTL) elevations in navigable waters;
- (e) each plan should show the NGVD 1929 equivalent for the project's vertical datum (MLW, MLLW, MHW, HTL or other tidal datum for tidal projects) with the vertical units. Do not use local datum;
- (f) wetland delineation for the site, Corps wetland delineation data sheets (see web site), and calculations of waterway and wetland impact areas (see General Condition 2);
- (g) delineation of submerged aquatic vegetation, e.g., eel grass beds, in tidal waters;
- (h) volume, type and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below ordinary high water in inland waters and below the high tide line in coastal waters;
- (i) limits of any Federal Navigation Project in the vicinity and State Plane Coordinates for the limits of the proposed work closest to the Federal Navigation Project;
- (j) on-site alternatives analysis. Please contact Corps for guidance;
- (k) identify and describe potential impacts to Essential Fish Habitat. See General Condition 11 and contact Corps for guidance;
- (l) photographs of wetland/waterway to be impacted.

Information typically required for dredging projects:

- (a) sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing. For projects proposing open water disposal, applicants are encouraged to contact the Corps as early as possible regarding sampling and testing protocols. Sampling and testing of sediments without such contact should not occur and, if done, would be at the applicant's risk.
- (b) the area in square feet and volume of material to be dredged below mean high water;
- (c) existing and proposed water depths;
- (d) type of dredging equipment to be used;
- (e) nature of material (e.g., silty sand);
- (f) any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects;
- (g) information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area, location of the disposal site (include locus sheet);
- (h) shellfish survey;
- (i) identify and describe potential impacts to Essential Fish Habitat (see General Condition 11);
- (j) delineation of submerged aquatic vegetation (e.g., eelgrass beds).

Federal Screening Procedures

The Corps will review all complete applications for Category 2 projects requiring Corps approval at interagency screening meetings (or "joint processing" meetings) with the Federal resource agencies (U.S. FWS, EPA and NMFS) to determine whether such activities may be authorized under this PGP. The Federal resource agencies will comprise the interagency review team. The meetings are held at the Corps every three weeks, or coordinated as necessary to provide applicants with a timely response. The Corps and Federal resource agencies, at the branch chief or equivalent level, may agree on certain activities that do not need to be coordinated at these meetings.

If the Corps and Federal resource agencies determine that the activity is eligible for the PGP, the Corps will send an authorization letter directly to the applicant. The Corps will generally issue an eligibility determination within the State's review period, not to exceed 60 days. If the Corps determines that the activity is not eligible under the PGP or that additional information is required, the Corps will notify the applicant in writing and will send a copy of this notification to DEP or LURC.

For projects reviewed with the Federal resource agencies, the agencies may recommend, within ten business days, either 1) special conditions for projects to avoid or minimize adverse environmental effects and to ensure the terms and conditions of the PGP are met, or 2) Individual Permit review. The Corps will determine that a project is ineligible under this PGP and will begin its Individual Permit review procedures if any one of the Federal resource agencies, within ten business days of the screening meeting, expresses a concern within their area of expertise, states the resource or species that could be impacted by the project, and describes the impacts that, either individually or cumulatively, will be more than minimal.

This ten-day notice may be spoken and is not required to be fully documented, but must be confirmed with a written response within an additional ten working days from the date of the spoken comment. Written responses must be signed by the Federal resource agency field supervisor or branch chief, as appropriate, and must identify the affected resource within their area of expertise. The intent of the spoken notification is to allow the Corps to give timely notification to the applicant that additional information is needed and/or an Individual Permit may be required. The Corps may reinstate a project's eligibility under the PGP provided the Federal agencies' concerns are satisfied. The Federal resource agencies may request additional information within their area of expertise within ten business days of the screening meeting. This information shall be commensurate to the level of impact and agreed upon by the Corps. The agencies are allowed an additional ten business days after their receipt of additional information to provide special conditions or a written Individual Permit request to the Corps.

If the applicant is unable to resolve the concerns, the Corps, independently or at the request of the Federal resource agencies, will require an Individual Permit for the project. The applicant will be notified of this in writing, along with information about submitting the necessary application materials.

Minerals Management Service (MMS) Review

Projects with construction of solid fill structures or discharge of fill that may extend beyond the coastline or the baseline from which the territorial sea is measured (i.e., mean low water), must be coordinated with Minerals Management Service (MMS), Outer Continental Shelf (OCS) Survey Group, pursuant to the Submerged Lands Act (43 USC, Section 1301-1315, 33 CFR 320.4(f)). The Corps will forward project information to MMS for their review. The MMS will coordinate their determination with the Department of the Interior (DOI) Solicitor's Office. The DOI will have 15 calendar days from the date MMS is in receipt of project information to determine if the baseline will be affected. No notification to the Corps within 15-day review period will constitute a "no effect" determination. Otherwise, the solicitor's notification to the Corps may be spoken but must be followed with a written confirmation within ten business days from the date of the spoken notification. This procedure will be eliminated if the State of Maine provides a written waiver of interest in any increase in submerged lands caused by a change in the baseline resulting from solid fill structures or fills authorized under this PGP.

Emergency Situations Procedures

Emergency situations are limited to sudden, unexpected occurrences that could potentially result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process an application under standard procedures. If an emergency situation requires action in less than 30 days after the occurrence, it qualifies for the amended notification procedures described below.

Notification Procedures for Emergency Situations:

Any project proponent may request emergency authorization from the Corps, however the Corps will determine if a project qualifies for these emergency situation procedures. The Federal resource agencies, the Maine Historic Preservation Commission and the tribes will each designate an emergency contact and an alternate in the event the regular contact is unavailable. When an application for Category 2 work is received that the Corps determines is an “emergency” as defined above, the Corps will fax a copy of the plans and Determination of Eligibility to the agency representatives and their alternates. The resource agencies would then have 16 business hours to notify the Corps if they have any comments on authorization of the project under the PGP. Objections to the Corps determination of an “emergency” situation will not be accepted. If no response is received within 16 business hours, the Corps will proceed with a decision on the application. If the resource agencies have comments on the proposal, they will have 16 business hours to put their comments in writing. If written comments from the Federal agencies are not received within 16 business hours, the Corps will proceed with a decision on the application.

If a Federal agency requests that an Individual Permit be required for a project or requests modifications to the project based on concerns within their area(s) of expertise, the Corps will notify the applicant within one business day of receipt of that request that the project as proposed does not qualify for authorization under this PGP and the emergency Individual Permit procedures may be followed. In any event, the Corps will notify the applicant within 16 business hours of commencement of the screening process as to whether the project may proceed under this PGP.

IV. CORPS AUTHORIZATION: INDIVIDUAL PERMIT

Work that is defined in the Individual Permit category of Appendix A – Definition of Categories, or that does not meet the terms and conditions of this PGP, will require an application for an Individual Permit from the Corps (see 33 CFR Part 325.1). The screening procedures outlined for Category 2 projects will only serve to delay project review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained at our web site or by calling us (see Page 16). Individual water quality certification and coastal zone management consistency concurrence are required when applicable from the State of Maine before Corps permit issuance. The Federal resource agencies’ comments are due within ten working days after the Public Notice’s expiration date, unless the Corps receives and approves a written request for a time extension within ten working days after the notice’s expiration.

V. PROGRAMMATIC GENERAL PERMIT CONDITIONS:

The following conditions apply to activities authorized under this Maine PGP, including all Category 1 (non-reporting) and Category 2 (reporting – requiring screening) activities:

General Requirements

1. Other Permits. Authorization under this PGP does not obviate the need to obtain other Federal, State, or local authorizations required by law. This includes, but is not limited to, the project proponent obtaining a Flood Hazard Development Permit issued by the town, if necessary. Inquiries may be directed to the municipality or to the Maine Floodplain Management Coordinator at (207) 287-8063. See <http://www.maine.gov>.

2. Federal Jurisdictional Boundaries. Applicability of this PGP shall be evaluated with reference to Federal jurisdictional boundaries. Applicants are responsible for ensuring that the boundaries used satisfy the Federal criteria defined at 33 CFR 328-329. These sections prescribe the policy, practice and procedures to be used in determining the extent of jurisdiction of the Corps concerning “waters of the U.S.” and “navigable waters of the U.S.” Wetland boundaries shall be delineated in accordance with the January 1987 Corps of Engineers Wetlands Delineation Manual, located at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/wlman87.pdf>. The U.S. FWS publishes the National List of Plant Species that Occur in Wetlands, located at <http://www.nwi.fws.gov>. The Natural Resources Conservation Service (NRCS) develops the hydric soil definition and criteria, and publishes the current hydric soil lists, located at <http://soils.usda.gov/use/hydric/>.

3. Minimal Effects. Projects authorized by this PGP shall have no more than minimal individual and cumulative adverse environmental impacts as determined by the Corps.

4. Discretionary Authority. Notwithstanding compliance with the terms and conditions of this permit, the Corps retains discretionary authority to require Category 2 or Individual Permit review based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR 320.4(a)]. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant Individual Permit review based on the concerns stated above. This authority may be invoked for projects with cumulative environmental impacts that are more than minimal or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the PGP and that warrants greater review. Whenever the Corps notifies an applicant that an Individual Permit may be required, authorization under this PGP is void and no work may be conducted until the individual Corps permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this PGP.

5. Single and Complete Projects. This PGP shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project shall be treated together as constituting one single and complete project and/or all planned phases of a multi-phased project (e.g., subdivisions should include all work such as roads, utilities, and lot development) unless the Corps determines that a component has independent utility. (The *Independent Utility* test is used to determine what constitutes a single and complete 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.) For linear projects, such as power lines or pipelines with multiple

crossings, the “single and complete project” (i.e., single and complete crossing) will apply to each crossing of a separate water of the U.S. (i.e., single waterbody) at that location; except that for linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project, and may be reviewed for Category 1 eligibility. (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.) If any crossing requires a Category 2 activity, then the entire linear project shall be reviewed as one project under Category 2. Also, this PGP shall not be used for any activity that is part of an overall project for which an Individual Permit is required, unless the Corps determines the activity has independent utility.

6. Permit On-Site. For Category 2 projects, the permittee shall ensure that a copy of this PGP and the accompanying authorization letter are at the work site (and the project office) authorized by this PGP whenever work is being performed, and that all personnel with operation control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this PGP. This shall be achieved by including the entire permit authorization in the specifications for work. The term “entire permit authorization” means this PGP and the authorization letter (including its drawings, plans, appendices and other attachments) and also includes permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or sub-contract as a change order. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire PGP authorization, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

National Concerns

7. St. John/St. Croix Rivers. This covers work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission. This includes any temporary or permanent use, obstruction or diversion of international boundary waters which could affect the natural flow or levels of waters on the Canadian side of the line, as well as any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters when the activity could raise the natural level of water on the Canadian side of the boundary.

8. Historic Properties. Any activity authorized by this PGP shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Maine Historic Preservation Commission, the National Register of Historic Places, and the Penobscot, Passamaquoddy, Micmac, and Maliseet Tribal Historic Preservation Officers. See Page 17 for historic properties contacts. If the permittee, either prior to construction or during construction of the work authorized herein, encounters a previously unidentified archaeological or other cultural resource, within the area subject to Department of the Army jurisdiction, that might be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the District Engineer and the Maine Historic Preservation Commission and/or applicable Tribe(s).

9. National Lands. Activities authorized by this PGP shall not impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary, National Park or any other area administered by the National Park Service.

10. Endangered Species. No activity may be authorized under this PGP which:

- is likely to adversely affect a threatened or endangered species, a proposed species, designated critical habitat, or proposed critical habitat as identified under the Federal ESA,
- would result in a “take” of any threatened or endangered species of fish or wildlife, or
- would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants.

Applicants shall notify the Corps if any listed species or critical habitat, or proposed species or critical habitat, is in the vicinity of the project and shall not begin work until notified by the District Engineer (DE) that the requirements of the ESA have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. FWS and NMFS (see Page 16 for addresses).

11. Essential Fish Habitat. As part of the PGP screening process, the Corps will coordinate with NMFS in accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed “Essential Fish Habitat (EFH)”, and is broadly defined to include “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” Applicants may be required to describe and identify potential impacts to EFH. Conservation recommendations made by NMFS will normally be included as a permit requirement by the Corps. For additional information, see the EFH regulations at 50 CFR Part 600 (<http://www.nmfs.noaa.gov>). Additional information on the location of EFH can be obtained from NMFS (see Page 16 for contact information).

Any work in any aquatic habitat in the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration, shall not be authorized under Category 1 of the PGP and must be screened for potential impacts to EFH.

Androscoggin River	Hobart Stream	Passagassawaukeag River	Saco River
Aroostook River	Kennebec River	Patten Stream	Sheepscot River
Boyden River	Machias River	Penobscot River	St. Croix River
Dennys River	Narraguagus River	Pleasant River	Tunk Stream
Ducktrap River	Orland River	Presumpscot River	Union River
East Machias River			

12. Wild and Scenic Rivers. Any activity that occurs in a component of, or within 0.25 mile up or downstream of, the main stem or tributaries of a river segment of the National Wild and Scenic River System, must be reviewed by the Corps under the procedures of Category 2 of this PGP regardless of size of impact. This condition applies to both designated Wild and Scenic Rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed work on the resource values of the Wild and Scenic River. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river and an individual permit is required. If

preapplication consultation between the applicant and the NPS has occurred whereby NPS has made a determination that the proposed project is appropriate for authorization under this PGP (with respect to Wild and Scenic River issues), this determination should be furnished to the Corps with submission of the application. (See NPS address on Page 16.) National Wild and Scenic Rivers System segments for Maine as of September 2005 include: Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River (length = 92 miles).

13. Federal Navigation Project. Any structure or work that extends closer to the horizontal limits of any Corps Federal Navigation Project (See Appendix B) than a distance of three times the project's authorized depth shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys.

14. Navigation. (a) There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein. (b) 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.

15. Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States (U.S.) in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

Minimization of Environmental Impacts

16. Minimization. Discharges of dredged or fill material into waters of the United States, including wetlands, shall be avoided and minimized to the maximum extent practicable. Permittees may only fill those jurisdictional wetlands that the Corps authorizes to be filled and impact those wetlands that the Corps authorizes as secondary impacts. For coastal structures such as piers and docks, the height above the marsh at all points should be equal to or exceed the width of the deck. The height shall be measured from the marsh substrate to the bottom of the longitudinal support beam. This will help ensure sunlight reaches the area beneath the structure.

17. Heavy Equipment in Wetlands. Heavy equipment, other than fixed equipment (drill rigs, fixed cranes, etc.), working within wetlands shall not be stored, maintained or repaired in wetlands unless it is less environmentally damaging otherwise, and as much as possible shall not be operated there. Where construction requires heavy equipment operation in wetlands, the equipment shall

either have low ground pressure (<3 psi), or shall not be located directly on wetland soils and vegetation; it shall be placed on swamp or timber mats that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. (See General Condition 18 below.) Other support structures that are less impacting and are capable of safely supporting equipment may be used with written Corps authorization. Similarly, not using mats during frozen, dry or other conditions may be allowed with written Corps authorization. An adequate supply of spill containment equipment shall be maintained on site.

NOTE: "Swamp mats" is a generic term used to describe structures that distribute equipment weight to prevent wetland damage while facilitating passage and providing work platforms for workers and equipment. They are comprised of sheets or mats made from a variety of materials in various sizes, and they include large timbers bolted or cabled together (timber mats). Corduroy roads, which are not considered to be swamp mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another.

18. Temporary Fill. Fill placed into waters of the U.S. (including wetlands) totaling greater than or equal to 4,300 SF (15,000 SF if a DEP Tier One Permit is issued) in total area (i.e., the sum of permanent and temporary fill areas) exceeds the Category 1 threshold and may not be discharged without written authorization from the Corps. When temporary fill is used (e.g., access roads, swamp mats, cofferdams), it shall be stabilized and maintained during construction in such a way as to prevent soil eroding into portions of waters of the U.S. where it is not authorized. Swamp or timber mats (see Gen.Cond. 17 above) are considered as temporary fill when they are removed immediately upon work completion. The area must be restored in accordance with Gen.Cond. 19.

- Unconfined temporary fill authorized for discharge into flowing water (rivers and streams) shall consist only of clean washed stone.
- Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric laid on the pre-construction wetland grade. (Swamp and timber mats are excluded from this requirement.)
- Temporary fill shall be removed as soon as it is no longer needed, and it shall be disposed of at an upland site and suitably contained to prevent subsequent erosion into waters of the U.S.
- Waters of the U.S. where temporary fill was discharged shall be restored (see Gen.Cond. 19).
- No temporary work shall drain a water of the U.S. by providing a conduit for water on or below the surface.

19. Restoration.

- Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be stabilized with a wetland seed mix containing only plant species native to New England.
- The introduction or spread of invasive plant species in disturbed areas shall be controlled.
- In areas of authorized temporary disturbance, if trees are cut they shall be cut at ground level and not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.
- Wetland areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

20. Coastal Bank Stabilization. Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction should be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable. For example, vertical bulkheads should only be used in situations where reflected wave energy can be tolerated. This generally eliminates bodies of water where the reflected wave energy may interfere with or impact on harbors, marinas, or other developed shore areas. A revetment is sloped and is typically employed to absorb the direct impact of waves more effectively than a vertical seawall. It typically has a less adverse effect on the beach in front of it, abutting properties and wildlife. For more information, see the Corps Coastal Engineering Manual (supersedes the Shore Protection Manual), located at <http://chl.erdc.usace.army.mil>. Select “Products/ Services,” “Publications.” Part 5, Chapter 7-8, a(2)c is particularly relevant.

21. Sedimentation and Erosion Control. Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences, hay bales or other devices, shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and of filtering fine sediment. These devices must be removed in a timely manner upon completion of work, but not until the disturbed areas have been stabilized. The sediment collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

22. Waterway Crossings.

(a) All temporary and permanent crossings of waterbodies (waterways and wetlands) shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, and to not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction. (NOTE: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this PGP).

(b) 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. For new permanent crossings, open bottom arches, bridge spans or embedded culverts are generally preferred over traditional culverts and should be installed when practicable. Coordination with the Corps is recommended for Category 1 projects when site constraints (e.g., placing footings) may render open bottom arches, bridge spans or embedded culverts impractical. In these cases, well-designed culverts may actually perform better. Culverts shall be installed with their inverts embedded below existing streambed grade to avoid “hanging” and associated impediments to fish passage. The “Design of Road Culverts for Fish Passage” provides design guidance and is available at www.nae.usace.army.mil, “Regulatory/Permitting,” “Other.”

(c) Culverts at waterbody crossings shall be installed in such a manner as to preserve hydraulic connectivity, at its present level, between the wetlands on either side of the road. The permittee shall take necessary measures to correct wetland damage due to lack of hydraulic connectivity.

(d) Culverts and bridges shall span the waterway a minimum of 1.2 times the bankfull width in probable fish bearing waterways to qualify as a Category 1 non-reporting activity. See “Design of Road Culverts for Fish Passage,” referenced in (b) above, for information on bankfull width.

(e) Projects using slip lining (retrofitting an existing culvert by inserting a smaller diameter pipe), plastic pipes, and High Density Polyethylene Pipes (HDPP) are not allowed as non-reporting Category 1 activities, either as new work or maintenance activities.

(f) Waterbody crossings shall be culverted to at least municipal or State standards. The Maine DEP's stream crossing standards are at 06-096, Chapter 305: Permit by Rule, Section 10. Stream crossings (bridges, culverts and fords).

(g) Waterway crossings proposed by the Maine Dept. of Transportation should conform to the MDOT Fish Passage Policy and Design Guides.

(h) Construction equipment shall not cross streams without the use of temporary bridges, culverts, or cofferdams.

(i) For projects that otherwise meet the terms of Category 1, in-stream construction work shall be conducted during the low flow period July 15 - October 1 in any year. Projects that are not to be conducted during that time period are ineligible for Category 1 and shall be screened pursuant to Category 2, regardless of the waterway and wetland fill and/or impact area.

23. Discharge of Pollutants. All activities involving any discharge of pollutants into waters of the U.S. authorized under this PGP shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (33 USC 1251) and applicable State and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this PGP, the authorized work shall be modified to conform with these standards within six months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with the Regional Administrator of the EPA. Applicants may presume that State water quality standards are met with the issuance of a LURC or DEP NRPA permit.

24. Spawning Areas. Discharges of dredged or fill material, and/or suspended sediment producing activities in fish and shellfish spawning or nursery areas and amphibian and waterfowl breeding areas during spawning or breeding seasons shall be avoided. During all times of year, impacts to these areas shall be avoided or minimized to the maximum extent practicable.

25. Storage of Seasonal Structures. Coastal structures, such as pier sections and floats, that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location located above mean high water (MHW) and not in tidal wetlands. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of MHW. This is intended to prevent structures from being stored on the marsh substrate and the substrate seaward of MHW. Seasonal storage of structures in navigable waters, e.g., in a protected cove on a mooring, requires Corps and local harbormaster approval.

26. Environmental Functions and Values. The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and minimize any adverse impacts on existing fish, wildlife, and natural environmental functions and values.

27. Protection of Vernal Pools. Impacts to uplands in proximity (within 500 feet) to the vernal pools referenced in Appendix A - Definitions of Categories, shall be minimized to the maximum extent possible.

Procedural Conditions

28. Cranberry Development Projects. For cranberry development projects authorized under the PGP, the following conditions apply:

- If a cranberry bog is abandoned for any reason, the area must be allowed to revert to natural wetlands unless an Individual Permit is obtained from the Corps allowing the discharge of fill for an alternate use.
- No stream diversion shall be allowed under this permit.
- No impoundment of perennial streams shall be allowed under this permit.
- The project shall be designed and constructed to not cause flood damage on adjacent properties.

29. Inspections. The permittee shall allow the District Engineer (DE) or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The DE may also require post-construction engineering drawings for completed work and post-dredging survey drawings for any dredging work.

30. Work Start Notification Form and Compliance Certification. Every permittee who receives a written Category 1 or 2 PGP authorization from the Corps must submit a 1) Work Start Notification Form (WSNF) two weeks before work commencement, and 2) signed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals). The Corps will forward the blank WSNF and Compliance Certification Form with the authorization letter. The Compliance Certification Form will include: (a) a statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; (b) a statement that any required mitigation was completed in accordance with the permit conditions; and (c) the signature of the permittee certifying the completion of the work and mitigation.

31. Maintenance. The permittee shall maintain the work or structures authorized herein in good condition and in conformance with the terms and conditions of this permit. This does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds in Appendix A and/or any conditions included in a written Corps authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged. Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2).

32. Property Rights. This permit does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations. If property associated with work authorized by the PGP is sold, the PGP authorization is automatically transferred to the new property owner. The new property owner should provide this information to the Corps in writing. No acknowledgement from the Corps is necessary.

33. Modification, Suspension, and Revocation. This permit may be either modified, suspended, or revoked, in whole or in part, pursuant to the policies and procedures of 33 CFR 325.7. Any such action shall not be the basis for any claim for damages against the United States.

34. Restoration. The permittee, upon receipt of a notice of revocation of authorization under this permit, shall restore the wetland or waterway to its former condition without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

35. Special Conditions. The Corps, independently or at the request of the Federal resource agencies, may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.

36. False or Incomplete Information. If the Corps makes a determination regarding the eligibility of a project under this permit and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid and the government may institute appropriate legal proceedings.

37. Abandonment. If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she must restore the area to the satisfaction of the District Engineer.

Duration of Authorization/Grandfathering:

38. Duration of Authorization. This PGP expires five years from the effective date listed at the top of Page 1. Activities authorized under Category 1 of this PGP that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this PGP's authorization will remain authorized provided the activity is completed within 12 months of the PGP's expiration date. Activities authorized under Category 2 of this PGP will remain authorized in accordance with the project-specific date that the Corps provides to the permittee in the PGP authorization letter, unless:

- (a) The PGP is either modified or revoked, or
- (b) Discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2 (e)(2).

39. Previously Authorized Activities.

- (a) Activities completed under the authorizations of past PGPs that were in effect at the time the activity was completed will continue to be authorized by those PGPs.
- (b) Completed projects that have received written verification or approval from the Corps, based on applications made to the Corps prior to issuance of this PGP or the previous nationwide permits, regional general permits, or letters of permission shall remain authorized as specified in each authorization.
- (c) Activities authorized pursuant to 33 CFR Part 330.3 ("Activities occurring before certain dates") are not affected by this PGP.

VI. CONTACTS FOR MAINE PROGRAMMATIC GENERAL PERMIT:

1. FEDERAL

U.S. Army Corps of Engineers

Maine Project Office
675 Western Avenue #3
Manchester, Maine 04351
(207) 623-8367
(207) 623-8206 (fax)

Federal Endangered Species

U.S. Fish and Wildlife Service
Maine Field Office
1168 Main Street
Old Town, Maine 04468
(207) 827-5938
207-827-6099 (fax)

Wild and Scenic Rivers

National Park Service
North Atlantic Region
15 State Street
Boston, Massachusetts 02109
(617) 223-5203

Federal Endangered Species & Essential Fish Habitat

National Marine Fisheries Service
One Blackburn Drive
Gloucester, Massachusetts 01939
(978) 281-9102
(978) 281-9301 (fax)

Bridge Permits

Commander (obr)
First Coast Guard District
One South Street - Battery Bldg
New York, New York 10004
(212) 668-7021

2. STATE OF MAINE

Maine Department of Environmental Protection (For State Permits & Water Quality Certifications)

Division of Land Resource Regulation
Bureau of Land and Water Quality
17 State House Station
Augusta, Maine 04333
(207) 287-2111

Southern Maine Regional Office
312 Canco Road
Portland, Maine 04103
(201) 822-6300

Eastern Maine Regional Office
106 Hogan Road
Bangor, Maine 04401
(207) 941-4570

Northern Maine Regional Office
1235 Central Drive - Skyway Park
Presque Isle, Maine 04769
(207) 764-0477

Maine Land Use Regulation Commission (LURC) [call (800) 452-8711 for appropriate LURC office]

22 State House Station
Augusta, ME 04333-0022
(207) 287-2631
(207) 287-7439 (fax)

45 Radar Road
Ashland, ME 04732-3600
(207) 435-7963
(207) 435-7184 (fax)

Lakeview Drive
P.O. Box 1107
Greenville, ME 04441
(207) 695-2466
(207) 695-2380 (fax)

(For CZM Determinations)

State Planning Office
Coastal Program
184 State Street
State House Station 38
Augusta, Maine 04333
(207) 287-1009

(For Submerged Lands Leases)

Maine Department of Conservation
Bureau of Parks and Lands
22 State House Station
Augusta, Maine 04333
(207) 287-3061

3. HISTORIC PROPERTIES

Maine Historic Preservation Commission

State House Station 65
Augusta, Maine 04333-0065
(207) 287-2132
(207) 287-2335 (fax)

Aroostook Band of Micmacs

Attn: Mr. Williams Phillips, Chief
7 Northern Road
Presque Isle, Maine 04769
(207) 764-1972
(207) 764-7667 (fax)

Houlton Band of Maliseet Indians

Attn: Tribal Chief
88 Bell Road
Littleton, Maine 04730
(207) 532-4273, x215
(207) 532-2660 (fax)

191 Main Street
East Millinocket, ME 04430
(207) 746-2244
(207) 746-2243

(For Aquaculture Leases)

Maine Department of Marine Resources
P.O. Box 8
West Boothbay Harbor, Maine 04575
(207) 633-9500

Passamaquoddy Tribe of Indians

Pleasant Point Reservation
Attn: Tribal Council
P.O. Box 343
Perry, Maine 04667
(207) 853-2600
(207) 853-6039 (fax)

Passamaquoddy Tribe of Indians

Indian Township Reservation
Attn: Donald Soctomah, THPO
P.O. Box 301
Princeton, Maine 04668
(207) 796-2301
(207) 796-5256 (fax)

Penobscot Indian Nation

Indian Island Reservation
Attn: Ms. Bonnie Newsom, THPO
12 Wabanaki Way
Indian Island, Maine 04468
(207) 817-7471
(207) 817-7450 (fax)

4. ORGANIZATIONAL WEBSITES:

Army Corps of Engineers	www.nae.usace.army.mil (click "Regulatory/Permitting")
Corps of Engineers Headquarters	www.usace.army.mil (click "Services for the Public")
Environmental Protection Agency	www.epa.gov/owow/wetlands/
National Marine Fisheries Service	www.nmfs.noaa.gov
U.S. Fish and Wildlife Service	www.fws.gov
National Park Service	www.nps.gov/rivers/index.html
State of Maine	www.maine.gov
State of Maine -Aquaculture Guidelines	www.maine.gov/dmr/aquaculture/index.htm

for Christine J. Gray 10-11-05
District Engineer Date

APPENDIX A: DEFINITION OF CATEGORIES

<p>A. INLAND WATERS AND WETLANDS</p>	<p>Inland Waters and Wetlands: Waters that are regulated under Section 404 of the Clean Water Act, including rivers, streams, lakes, ponds and wetlands, and excluding Section 10 Navigable Waters of the U.S. The jurisdictional limits are the ordinary high water (OHW) mark in the absence of adjacent wetlands, beyond the OHW mark to the limit of adjacent wetlands when adjacent wetlands are present, and the wetland limit when only wetlands are present. For the purposes of this PGP, fill placed in the area between the mean high water (MHW) and the high tide line (HTL), and in the bordering and contiguous wetlands¹ to tidal waters are reviewed in the Navigable Waters section. (See II. Navigable Waters on the next page.)</p>		
<p>(a) NEW FILL/ EXCAVATION DISCHARGES</p>	<p>CATEGORY 1</p> <p><4,300 SF inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, cleared or excavated). Fill area includes all temporary and permanent fill, and excavation discharges (except for incidental fallback). Swamp mats are considered as fill. [See General Condition (GC) 18.]</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> • In-stream (e.g., rivers, streams, brooks, etc.) work limited to Jul 15 - Oct 1 • In-stream work of up to 4,300 SF of fill below OHW in waterways not designated as EFH for Atlantic salmon (see GC 11, Page 9) and performed in accordance with Maine Permit By Rule standards or a LURC permit. • Waterway crossings shall comply with GC 22. • Projects covered by a DEP Tier One permit with no cumulative impacts > 15,000 SF in inland wetlands from previous permits, unauthorized work, and/or other state permits. • Subdivision fill complies with GC 5, Single and Complete Projects (see Page 7). <p><u>This category excludes:</u></p> <ul style="list-style-type: none"> • Dams, dikes or activities involving water diversions.² • Non-State approved sediment releases/slucices from dams. • Open trench excavation in flowing waters (see GC 22, Page 12). 	<p>CATEGORY 2</p> <p>4,300 SF to <3 acres inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, cleared or excavated). Fill area includes all temporary and permanent fill, and excavation discharges (except for incidental fallback). Swamp mats filling any area ≥4,300 SF are reviewed in Category 2. (See GC 18, Page 11.)</p> <p><u>Includes:</u> In-stream work, including crossings (other than spanned crossing as described in Category 1) with any discharge of fill below ordinary high water in perennial waterways designated as EFH for Atlantic salmon. Time of year restrictions determined case-by-case.</p> <p>Projects with proactive restoration as a primary purpose with impacts of any area ≥4,300 SF. The Corps, in consultation with State & Federal agencies, must determine that net adverse effects are not more than minimal.</p> <p>Specific activities with impacts of any area ≥4,300 SF required to affect 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. Wetlands must be restored in place.</p>	<p>INDIVIDUAL PERMIT</p> <p>≥3 acres inland waterway and/or wetland fill and secondary impacts (e.g., areas drained, flooded, cleared or excavated). Fill area includes all temporary and permanent fill, and excavation discharges (except for incidental fallback).⁵</p> <p>EIS required by the Corps.</p> <p>In-stream work exceeding Category 2 limits.</p>
<p>Maine PGP</p>	<p align="center">1</p>	<p align="center">1</p>	<p align="right">October 11, 2005</p>

	CATEGORY 1	CATEGORY 2	INDIVIDUAL PERMIT
	<ul style="list-style-type: none"> • Work in waters designated as EFH for Atlantic salmon (see GC 11, Page 9), unless the waterway is crossed with a span and footprints of the span abutments are outside ordinary high water with no more than 4,300 SF of associated wetland impact. • Work in Special Inland Waters or Wetlands³ (vernal pools). • Work in special aquatic sites (SAS)⁴ other than wetlands. • Work within ¼ mile of a Wild and Scenic River (see GC 12, Page 9). • Work on National Lands (see GC 9, Pg. 9). • Work affecting threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9). 		
(b) BANK STABILIZATION PROJECTS	<p>Inland bank stabilization <100 FT long and <1 CY of fill per linear foot below OHW.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> • In-stream work limited to Jul 15 - Oct 1. • No work in special inland waters & wetlands³ and SAS⁴. • No open trench excavation in flowing waters (see GC 22, Page 12). • No structures angled steeper than 3H:1V allowed. Only rough-faced stone or fiber roll revetments allowed. • No work affects threatened or endangered species (see GC 10, Page 9) or EFH (see GC 11, Page 9). 	<p>Inland bank stabilization ≥100 FT long and/or ≥1 CY of fill per linear foot, or any amount with fill in wetlands.</p>	
(c) REPAIR AND MAINTENANCE OF AUTHORIZED FILLS	<p>Repair or maintenance of existing, currently serviceable, authorized fills with no substantial expansion or change in use.</p> <p>*Conditions of the original authorization apply, however minor deviations in fill design allowed.⁶</p>	<p>Replacement of non-serviceable fills, or repair/maintenance of serviceable fill, with expansion <3 acres, or with a change in use.</p>	<p>Replacement of non-serviceable fill, or repair/maintenance of serviceable fill, with expansion ≥1 acre.</p>

II. NAVIGABLE WATERS		Navigable Waters of the United States: Waters that are subject to the ebb and flow of the tide and Federally designated navigable rivers (the Penobscot River, Kennebec River, and Lake Umbagog) (Section 10 Rivers and Harbors Act of 1899). The jurisdictional limits are the mean high water (MHW) line in tidal waters and the ordinary high water (OHW) mark in non-tidal portions of the Federally designated navigable rivers. For the purposes of this PGP, fill placed in the area between the mean high water (MHW) and the high tide line (HTL), and in the bordering and contiguous wetlands ¹ to tidal waters are also reviewed in this Navigable Waters section.	
	CATEGORY 1	CATEGORY 2	INDIVIDUAL PERMIT
(a) FILL	Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the United States, including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided the U.S. Coast Guard authorizes such discharges as part of the bridge permit. Causeways and approach fills are not included in this category and require Category 2 or Individual Permit authorization.	<1 acre fill and/or secondary waterway impacts (e.g., areas drained, flooded or cleared). Fill includes temporary and permanent waterway fill. Temporary fill or excavation <1 acre in SAS ⁴ . Permanent fill or excavation <1,000 SF in SAS ⁴ . Permanent fill and/or excavation ≥1,000 SF in SAS ³ when associated with a project with proactive restoration as a primary purpose. The Corps, in consultation with Federal & state agencies, must determine that net adverse effects are not more than minimal. Specific activities with impacts of any area required to affect 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. Wetlands must be restored in place.	≥1 acre waterway fill and/or secondary waterways or wetland impacts (e.g., areas drained, flooded or cleared). Fill includes temporary and permanent waterway fill. Temporary fill or excavation ≥1 acre in SAS ⁴ . Permanent fill or excavation ≥1,000 SF in SAS ⁴ other than as specified in Cat. 2 EIS required by the Corps.
(b) REPAIR AND MAINTENANCE WORK	Repair or maintenance of existing, currently serviceable, authorized structure or fill with no substantial expansion or change in use. *Conditions of the original authorization apply. Must be rebuilt in same footprint, however minor deviations in structure design allowed ⁶	Replacement of non-serviceable structures and fills or repair/maintenance of serviceable structures or fills, with fill, replacement or expansion <1 acre, or with a change in use.	Replacement of non-serviceable structures and fills or repair/maintenance of serviceable structures or fill, with replacement or expansion ≥1 acre.

	CATEGORY 1	CATEGORY 2	INDIVIDUAL PERMIT
(c) DREDGING AND ASSOCIATED DISPOSAL	<p>Maintenance dredging for navigational purposes <1,000 cy with upland disposal. Includes return water from upland contained disposal area.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> • Proper siltation controls are used. • Dredging & disposal operation limited to November 1 - January 15. • No impact to special aquatic sites⁴. • No dredging in intertidal areas. • No work affects threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9). 	<p>Maintenance dredging $\geq 1,000$ CY, new dredging <25,000 CY, or projects not meeting Category 1. Includes return water from upland contained disposal areas.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> • Disposal includes 1) upland, 2) beach nourishment (above MHW) of any area provided dredging's primary purpose is navigation or sand is from an upland source and Corps, in consultation w/Federal and State agencies, determines the net adverse effects are not more than minimal; and 3) open water & confined aquatic disposal, if Corps, in consultation with Federal and State agencies, finds the material suitable. 	<p>Maintenance dredging and/or disposal (any amount) in or affecting a SAS⁴. See II(a) above for dredge disposal in wetlands or waters.</p> <p>New dredging $\geq 25,000$ CY, or any amount in or affecting SAS⁴.</p> <p>Beach nourishment associated with dredging when the primary purpose is not navigation (i.e., aggregate/sand mining) or the material is from an upland source.</p>
(d) MOORINGS	<p>Private, non-commercial, non-rental, single-boat moorings authorized by the local harbormaster.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> • Not associated with any boating facility⁷ • Not located in a Federal Navigation Project other than a Federal Anchorage. Moorings in Federal Anchorage not associated with a boating facility⁷. • No interference with navigation • Not located in vegetated shallows⁸ • Within 1/4 mile of the owner's residence or a public access point.⁹ <p>Minor relocation of previously authorized moorings and moored floats consistent with Harbormaster recommendations, provided it is also consistent with local regulations, is not located in vegetated shallows, and does not interfere with navigation.</p>	<p>Moorings associated with a boating facility⁷.</p> <p>Moorings that don't meet the terms in Category 1 and don't require an Individual Permit.</p> <p>Moorings located such that they, and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits¹⁰ of a Corps Federal Channel. (See Appendix B.) The buffer zone is equal to three times the authorized depth of that channel.</p>	<p>Moorings within the horizontal limits¹⁰, or with moored vessels that extend, into the horizontal limits of a Federal Navigation Project (See App. B), except those in Federal Anchorages under Category 1.</p> <p>Note: Federal Navigation Projects include both Federal Channels and Federal Anchorages.</p>

	CATEGORY I	CATEGORY 2	INDIVIDUAL PERMIT
(e) STRUCTURES AND FLOATS	<p>Reconfiguration of existing authorized structures or floats.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> Structures not positioned over vegetated shallows⁸ or salt marsh. Floats supported off substrate at low tide. No dredging, additional slips or expansion. No work affects threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9).. 	<p>Private structures or floats, including floatways/skidways, built to access waterway (seasonal and permanent)</p> <p>Expansions to existing boating facilities⁷.</p> <p>Compliance with the following is recommended, but not required:</p> <ul style="list-style-type: none"> Pile-supported structures <400 SF, with attached floats totaling ≤200 SF. Bottom anchored floats ≤200 SF. Structures are ≤4' wide and have at least a 1:1 height:width ratio¹¹. Floats supported above the substrate during all tides. Structures & floats not located within 25' of any vegetated shallows⁸. Moored vessels not positioned over SAS⁴. No structure located within 25' of the riparian property boundary. No structure extends across >25% of the waterway width at mean low water. Not located within the buffer zone of the horizontal limits¹⁰ of a Corps Federal Navigation Project (FNP) (See App. B). The buffer zone is equal to three times the authorized depth of that FNP. 	<p>Structures or floats, including floatways/skidways, located such that they and/or vessels docked or moored at them are within the horizontal limits of a Corps Federal Navigation Project (see App. B).</p> <p>Structures and floats associated with a new or previously unauthorized boating facility⁷.</p> <p>Note: Federal Navigation Projects include both Federal Channels and Federal Anchorages.</p>
(f) MISCELLANEOUS	<p>Temporary buoys, markers, floats, etc. for recreational use during specific events, provided they are removed within 30 days after use is discontinued.</p> <p>The placement of aids to navigation and regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard. (See 33 CFR part 66, Chapter I, subchapter C)."</p>	<p>Structures or work in or affecting tidal or navigable waters, that are not defined under any of the previous headings listed above. Includes, but is not limited to, utility lines, aerial transmission lines, pipelines, outfalls, boat ramps, floatways/skidways, bridges, tunnels and horizontal directional drilling activities seaward of the MHW line.</p>	<p>EIS required by the Corps.</p> <p>Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities with more than minimal individual and cumulative impacts to environmental resources or navigation. A 25' eelgrass set back is recommended.</p>

	<p>Oil spill clean-up temporary structures or fill. Fish/wildlife harvesting structures/fill (as defined by 33 CFR 330, App. A-4)</p> <p>Scientific measurement devices and survey activities such as exploratory drilling, surveying and sampling activities. Does not include oil and gas exploration and fill for roads or construction pads.</p> <p>Shellfish seeding (brushing the flats¹²) projects.</p> <p>Provided:</p> <ul style="list-style-type: none"> • No work in National Wildlife Refuges. • No work affects threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9). 	<p>Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities with no more than minimal individual and cumulative impacts to environmental resources or navigation. A 25' eelgrass set back is recommended. Aquaculture guidelines are provided at: www.maine.gov/dmr/aquaculture/index.htm.</p>	<p>Aquaculture guidelines are provided at: www.maine.gov/dmr/aquaculture/index.htm.</p>
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¹ **Bordering and Contiguous Wetlands:** A bordering wetland is immediately next to its adjacent waterbody and may lie at, or below, the ordinary highwater mark (MHW in navigable waters) of that waterbody and is directly influenced by its hydrologic regime. Contiguous wetlands extend landward from their adjacent waterbody to a point where a natural or manmade discontinuity exists. Contiguous wetlands include bordering wetlands as well as wetlands that are situated immediately above the ordinary highwater mark and above the normal hydrologic influence of their adjacent waterbody. Note, with respect to the Federally designated navigable rivers, the wetlands bordering and contiguous to the tidally influenced portions of those rivers are reviewed under "II. Navigable Waters."

² **Water Diversions:** Water diversions are activities such as bypass pumping or water withdrawals. Temporary flume pipes, culverts or cofferdams where normal flows are maintained within the stream boundary's confines aren't water diversions. "Normal flows" are defined as no change in flow from pre-project conditions.

³ **Special Inland Waters and Wetlands:** Vernal Pools - Temporary to permanent bodies of water occurring in shallow depressions that fill during the spring and fall and may dry during the summer. Vernal pools have no permanent or viable populations of predatory fish. Vernal pools provide the primary breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders, and fairy shrimp, and provide habitat for other wildlife including several endangered and threatened species.

⁴ **Special Aquatic Sites:** Includes wetlands and saltmarsh, mudflats, riffles and pools, and vegetated shallows.

⁵ **IP Required:** The greater the impacts, the more likely an Individual Permit will be required. The Corps will determine the need for compensatory mitigation on a case-by-case basis.

⁶ **Maintenance:** Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards, which are necessary to make repair, rehabilitation, or replacement are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation or replacement are minimal. No seaward expansion for bulkheads or any other fill activity is considered Category I maintenance. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

⁷ **Boating Facilities:** Facilities that provide, rent, or sell mooring space, such as marinas, yacht clubs, boat yards, town facilities, dockominiums, etc.

⁸ **Vegetated Shallows:** Subtidal areas that support rooted aquatic vegetation such as eelgrass

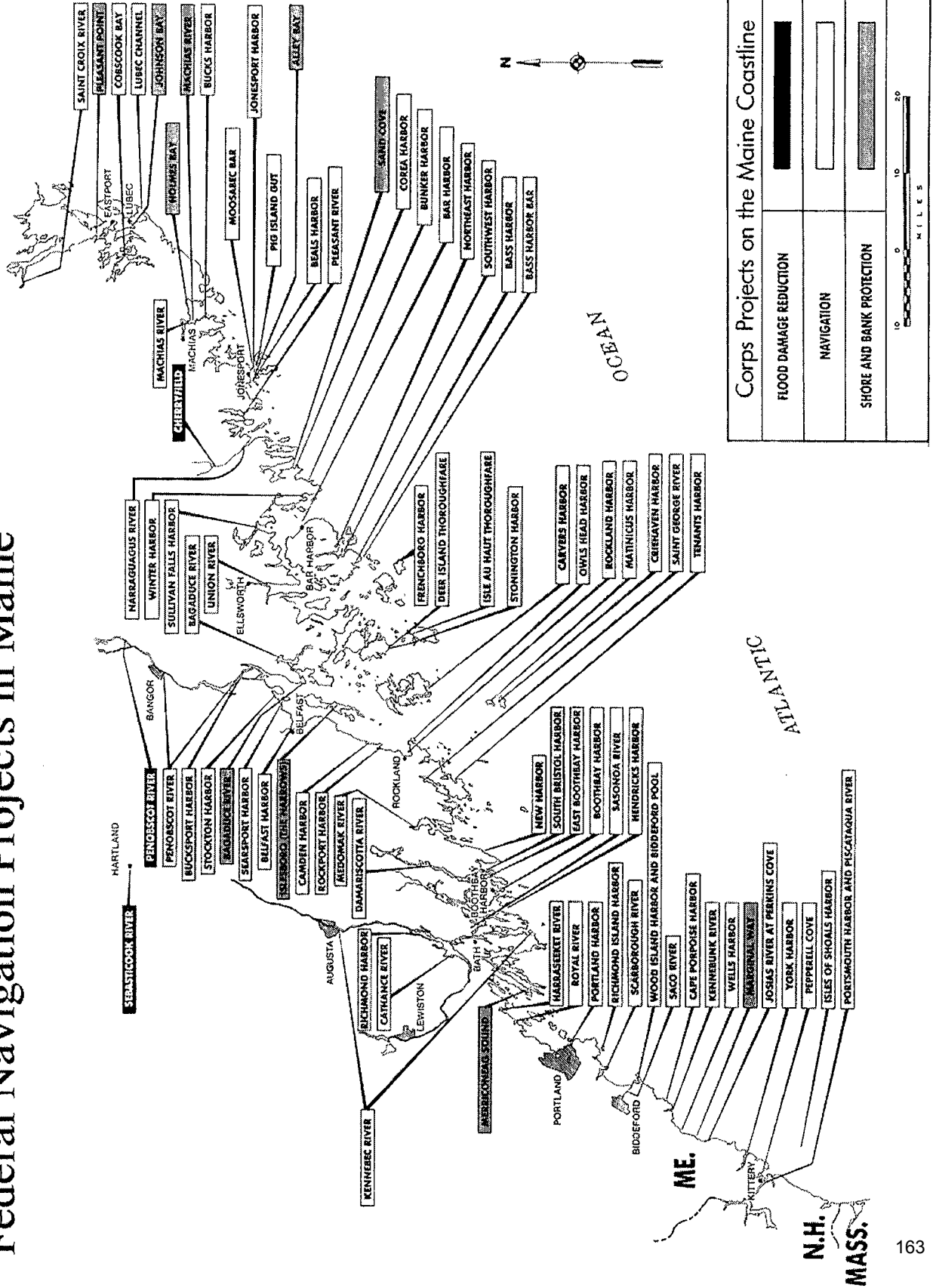
⁹ **Mooring Location:** Cannot be at a remote location to create a convenient transient anchorage.

¹⁰ **Horizontal Limits:** The outer edge of a Federal Navigation Project (FNP). Contact the Corps of Engineers for information on FNP's.

¹¹ **Structures:** The height of structures shall at all points be equal to or exceed the width of the deck. For the purpose of this definition, height shall be measured from the marsh substrate to the bottom of the longitudinal support beam.

¹² **Brushing the Flats:** The placement of tree boughs, wooden lath structure, or small-mesh fencing on mudflats to enhance recruitment of soft-shell clams (*Mya arenaria*).

Federal Navigation Projects in Maine



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