

BID PROPOSAL INSTRUCTIONS

ABOUT IDOT PROPOSALS: All proposals are potential bidding proposals. Each proposal contains all certifications and affidavits, a proposal signature sheet and a proposal bid bond.

PREQUALIFICATION

Any contractor who desires to become pre-qualified to bid on work advertised by IDOT must submit the properly completed pre-qualification forms to the Bureau of Construction no later than 4:30 p.m. prevailing time twenty-one days prior to the letting of interest. This pre-qualification requirement applies to first time contractors, contractors renewing expired ratings, contractors maintaining continuous pre-qualification or contractors requesting revised ratings. To be eligible to bid, existing pre-qualification ratings must be effective through the date of letting.

WHO CAN BID ?

Bids will be accepted from only those companies that request and receive written Authorization to Bid from IDOT's Central Bureau of Construction.

REQUESTS FOR AUTHORIZATION TO BID

Contractors wanting to bid on items included in a particular letting must submit the properly completed "Request for Authorization to Bid/or Not For Bid Status" (BDE 124) and the ORIGINAL "Affidavit of Availability" (BC 57) to the proper office no later than 4:30 p.m. prevailing time, three (3) days prior to the letting date.

WHAT CONSTITUTES WRITTEN AUTHORIZATION TO BID?

When a prospective prime bidder submits a "Request for Authorization to Bid/or Not For Bid Status"(BDE 124) he/she must indicate at that time which items are being requested For Bidding purposes. Only those items requested For Bidding will be analyzed. After the request has been analyzed, the bidder will be issued an **Authorization to Bid or Not for Bid Report**, approved by the Central Bureau of Construction and the Chief Procurement Officer that indicates which items have been approved For Bidding. If **Authorization to Bid** cannot be approved, the **Authorization to Bid or Not for Bid Report** will indicate the reason for denial.

ABOUT AUTHORIZATION TO BID

Firms that have not received an Authorization to Bid or Not For Bid Report within a reasonable time of complete and correct original document submittal should contact the Department as to the status. Firms unsure as to authorization status should call the Prequalification Section of the Bureau of Construction at the number listed at the end of these instructions.

ADDENDA AND REVISIONS

It is the bidder's responsibility to determine which, if any, addenda or revisions pertain to any project they may be bidding. Failure to incorporate all relevant addenda or revisions may cause the bid to be declared unacceptable.

Each addendum or revision will be included with the Electronic Plans and Proposals. Addenda and revisions will also be placed on the Addendum/Revision Checklist and each subscription service subscriber will be notified by e-mail of each addendum and revision issued.

The Internet is the Department's primary way of doing business. The subscription service emails are an added courtesy the Department provides. It is suggested that bidders check IDOT's website at <http://www.idot.illinois.gov/doing-business/procurements/construction-services/construction-bulletins/transportation-bulletin/index#TransportationBulletin> before submitting final bid information.

IDOT IS NOT RESPONSIBLE FOR ANY E-MAIL FAILURES.

Addenda questions may be directed to the Contracts Office at (217)782-7806 or DOT.D&Econtracts@illinois.gov

Technical questions about downloading these files may be directed to Tim Garman at (217)524-1642 or Timothy.Garman@illinois.gov.

STANDARD GUIDELINES FOR SUBMITTING PAPER BIDS

- All pages should be single sided.
- Use the Cover Page that is provided in the Bid Proposal (posted on the IDOT Web Site) as the first page of your submitted bid. It has the item number in large bold type in the upper left-hand corner and lines provided for your company name and address in the upper right-hand corner.
- Do not use report covers, presentation folders or special bindings and do not staple multiple times on left side like a book. Use only 1 staple in the upper left hand corner. Make sure all elements of your bid are stapled together including the bid bond or guaranty check (if required).
- **Do not include any certificates of eligibility, your authorization to bid, Addendum Letters or affidavit of availability.**
- Do not include the Subcontractor Documentation with your bid (pages i – iii and pages a – g). This documentation is required only if you are awarded the project.
- Use the envelope cover sheet (provided with the proposal) as the cover for the proposal envelope.
- Do not rely on overnight services to deliver your proposal prior to 10 AM on letting day. It will not be read if it is delivered after 10 AM.
- Do not submit your Substance Abuse Prevention Program (SAPP) with your bid. If you are awarded the contract this form is to be submitted to the district engineer at the pre-construction conference.

BID SUBMITTAL CHECKLIST

- Cover page** (the sheet that has the item number on it) – This should be the first page of your bid proposal, **followed by your bid (the Schedule of Prices/Pay Items)**. If you are using special software or CBID to generate your schedule of prices, do not include the blank pages of the schedule of prices that came with the proposal package.
- Page 4 (Item 9)** – Check “YES” if you will use a subcontractor(s) with an annual value over \$50,000. Include the subcontractor(s) name, address, general type of work to be performed and the dollar amount. If you will use subcontractor(s) but are uncertain who or the dollar amount; check “YES” but leave the lines blank.
- After page 4** – Insert the following documents: Cost Adjustments for Steel, Bituminous and Fuel (if applicable) and the Contractor Letter of Assent (if applicable). The general rule should be, if you don’t know where it goes, put it after page 4.
- Page 10 (Paragraph J)** – Check “YES” or “NO” whether your company has any business in Iran.
- Page 10 (Paragraph K)** – (Not applicable to federally funded projects) List the name of the apprenticeship and training program sponsor holding the certificate of registration from the US Department of Labor. If no applicable program exists, please indicate the work/job category. **Do not include certificates with your bid.** Keep the certificates in your office in case they are requested by IDOT.
- Page 11 (Paragraph L)** – Your State Board of Elections certificate of registration is no longer required with your bid.
- Page 11 (Paragraph M)** – Indicate if your company has hired a lobbyist in connection with the job for which you are submitting the bid proposal.
- Page 12 (Paragraph C)** – This is a work sheet to determine if a completed Form A is required. It is not part of the form and you do not need to make copies for each completed Form A.
- Pages 14-17 (Form A)** – One Form A (4 pages) is required for each applicable person in your company. Copies of the forms can be used and only need to be changed when the information changes. The certification signature and date must be original for each letting. **Do not staple the forms together.** If you answered “NO” to all of the questions in Paragraph C (page 12), complete the first section (page 14) with your company information and then sign and date the Not Applicable statement on page 17.
- Page 18 (Form B)** - If you check “YES” to having other current or pending contracts it is acceptable to use the phrase, “See Affidavit of Availability on file”. **Ownership Certification** (at the bottom of the page) - Check N/A if the Form A(s) you submitted accounts for 100 percent of the company ownership. Check YES if any percentage of ownership falls outside of the parameters that require reporting on the Form A. Checking NO indicates that the Form A(s) you submitted is not correct and you will be required to submit a revised Form A.
- Page 20 (Workforce Projection)** – Be sure to include the Duration of the Project. It is acceptable to use the phrase “Per Contract Specifications”.

- Proposal Bid Bond** – (Insert after the proposal signature page) Submit your Proposal Bid Bond (if applicable) using the current Proposal Bid Bond form provided in the proposal package. The Power of Attorney page should be stapled to the Proposal Bid Bond. If you are using an electronic bond, include your bid bond number on the Proposal Bid Bond and attach the Proof of Insurance printed from the Surety’s Web Site.
- Disadvantaged Business Utilization Plan and/or Good Faith Effort – Do Not Submit with Bid** The bidder shall submit a Disadvantaged Business Utilization Plan on completed Department forms SBE 2025 and 2026. (1) The final Utilization Plan must be submitted within five calendar days after the date of the letting. (2) To meet the five day requirement, the bidder may send the Utilization Plan electronically by scanning and sending to DOT.DBE.UP@illinois.gov or faxing to (217) 785-1524. The subject line must include the bid Item Number and the Letting date. The Utilization Plan should be sent as one .pdf file, rather than multiple files and emails for the same Item Number. It is the responsibility of the bidder to obtain confirmation of email or fax delivery.

Alternatively, the Utilization Plan may be sent by certified mail or delivery service within the five calendar day period. If a question arises concerning the mailing date of a Utilization Plan, the mailing date will be established by the U.S. Postal Service postmark on the certified mail receipt from the U.S. Postal Service or the receipt issued by a delivery service. It is the responsibility of the bidder to ensure the postmark or receipt date is affixed within the five days if the bidder intends to rely upon mailing or delivery to satisfy the submission day requirement. The Utilization Plan is to be submitted to:

Illinois Department of Transportation
 Bureau of Small Business Enterprises
 Contract Compliance Section
 2300 South Dirksen Parkway, Room 319
 Springfield, Illinois 62764

The Bid Letting is now available in streaming Audio/Video from the IDOT Web Site. A link to the stream will be placed on the main page of the current letting on the day of the Letting. The stream will not begin until 10 AM. The actual reading of the bids does not begin until approximately 10:30 AM.

Following the Letting, the As-Read Tabulation of Bids will be posted by the end of the day. You will find the link on the main Web page for the current letting.

QUESTIONS: pre-letting up to execution of the contract

Contractor pre-qualification	217-782-3413
Small Business, Disadvantaged Business Enterprise (DBE)	217-785-4611
Contracts, Bids, Letting process or Internet downloads	217-782-7806
Estimates Unit.....	217-785-3483
Aeronautics.....	217-785-8515
IDNR (Land Reclamation, Water Resources, Natural Resources).....	217-782-6302

QUESTIONS: following contract execution

Subcontractor documentation, payments	217-782-3413
Railroad Insurance	217-785-0275

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Proposal Submitted By
Name
Address
City

Letting June 10, 16

NOTICE TO PROSPECTIVE BIDDERS

This proposal can be used for bidding purposes by only those companies that request and receive written AUTHORIZATION TO BID from IDOT's Central Bureau of Construction.

BIDDERS NEED NOT RETURN THE ENTIRE PROPOSAL

Notice to Bidders, Specifications, Proposal, Contract and Contract Bond



**Illinois Department
of Transportation**

Springfield, Illinois 62764

**Contract No. 93660
SANGAMON County
Section 07-13106-01-BR
Route TR 197 (Old Salem Lane)
Project BROS-0167(054)
District 6 Construction Funds**

PLEASE MARK THE APPROPRIATE BOX BELOW:

- A Bid Bond is included.
- A Cashier's Check or a Certified Check is included
- An Annual Bid Bond is included or is on file with IDOT.

Prepared by

Checked by

F

(Printed by authority of the State of Illinois)

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PROPOSAL

TO THE DEPARTMENT OF TRANSPORTATION

1. Proposal of _____

Taxpayer Identification Number (Mandatory) _____

For the improvement identified and advertised for bids in the Invitation for Bids as:

**Contract No. 93660
SANGAMON County
Section 07-13106-01-BR
Project BROS-0167(054)
Route TR 197 (Old Salem Lane)
District 6 Construction Funds**

This project consists of the removal of the existing structure and the construction of a 3 span PPC deck beam bridge and approach work on Old Salem Lane, located 2.3 miles West of Bradfordton Road over Little Spring Creek.

2. The undersigned bidder will furnish all labor, material and equipment to complete the above described project in a good and workmanlike manner as provided in the contract documents provided by the Department of Transportation. This proposal will become part of the contract and the terms and conditions contained in the contract documents will govern performance and payments.

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6. **COMBINATION BIDS.** The undersigned bidder further agrees that if awarded the contract for the sections contained in the following combination, he/she will perform the work in accordance with the requirements of each individual contract comprising the combination bid specified in the schedule below, and that the combination bid shall be prorated against each section in proportion to the bid submitted for the same. If an error is found to exist in the gross sum bid for one or more of the individual sections included in a combination, the combination bid shall be corrected as provided in the specifications.

When a combination bid is submitted, the schedule below must be completed in each proposal comprising the combination.

If alternate bids are submitted for one or more of the sections comprising the combination, a combination bid must be submitted for each alternate.

Schedule of Combination Bids

Combination No.	Sections Included in Combination	Combination Bid	
		Dollars	Cents

7. **SCHEDULE OF PRICES.** The undersigned bidder submits herewith, in accordance with the rules and instructions, a schedule of prices for the items of work for which bids are sought. The unit prices bid are in U.S. dollars and cents, and all extensions and summations have been made. The bidder understands that the quantities appearing in the bid schedule are approximate and are provided for the purpose of obtaining a gross sum for the comparison of bids. If there is an error in the extension of the unit prices, the unit prices will govern. Payment to the contractor awarded the contract will be made only for actual quantities of work performed and accepted or materials furnished according to the contract. The scheduled quantities of work to be done and materials to be furnished may be increased, decreased or omitted as provided elsewhere in the contract.
8. **AUTHORITY TO DO BUSINESS IN ILLINOIS.** Section 20-43 of the Illinois Procurement Code (the Code) (30 ILCS 500/20-43) provides that a person (other than an individual acting as a sole proprietor) must be a legal entity authorized to transact business or conduct affairs in the State of Illinois prior to submitting the bid.
9. **EXECUTION OF CONTRACT:** The Department of Transportation will, in accordance with the rules governing Department procurements, execute the contract and shall be the sole entity having the authority to accept performance and make payments under the contract. Execution of the contract by the Chief Procurement Officer (CPO) or the State Purchasing Officer (SPO) is for approval of the procurement process and execution of the contract by the Department. Neither the CPO nor the SPO shall be responsible for administration of the contract or determinations respecting performance or payment there under except as otherwise permitted in the Code.
10. **The services of a subcontractor will be used.**

Check box Yes
 Check box No

For known subcontractors with subcontracts with an annual value of more than \$50,000, the contract shall include their name, address, general type of work to be performed, and the dollar allocation for each subcontractor. (30 ILCS 500/20-120)

COUNTY NAME	CODE	DIST	SECTION NUMBER	PROJECT NUMBER	ROUTE
SANGAMON	167	06	07-13106-01-BR	BROS-0167/054/000	TR 197

ITEM NUMBER	PAY ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY	UNIT PRICE		TOTAL PRICE	
				DOLLARS	CENTS	DOLLARS	CTS
K1005421	SEEDING SPL	ACRE	0.500 X				
XX009105	TREES PLANTED SPECIAL	ACRE	0.400 X				
X2501000	SEEDING CL 2 SPL	ACRE	0.300 X				
X2810208	STONE RIPRAP CL A4 SP	TON	1,641.000 X				
20100110	TREE REMOV 6-15	UNIT	212.000 X				
20100500	TREE REMOV ACRES	ACRE	0.500 X				
20200100	EARTH EXCAVATION	CU YD	150.000 X				
20300100	CHANNEL EXCAVATION	CU YD	4,800.000 X				
20400800	FURNISHED EXCAVATION	CU YD	2,650.000 X				
28000400	PERIMETER EROS BAR	FOOT	1,585.000 X				
35100100	AGG BASE CSE A	TON	262.000 X				
40600275	BIT MATLS PR CT	POUND	1,231.000 X				
40600290	BIT MATLS TACK CT	POUND	123.000 X				
40603310	HMA SC "C" N50	TON	178.000 X				
50100100	REM EXIST STRUCT	EACH	1.000 X				

ITEM NUMBER	PAY ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY	UNIT PRICE		TOTAL PRICE	
				DOLLARS	CENTS	DOLLARS	CTS
50300225	CONC STRUCT	CU YD	41.100 X	=	=	=	=
50300280	CONCRETE ENCASEMENT	CU YD	33.000 X	=	=	=	=
50400405	P P CONC DK BM 21 DP	SQ FT	3,510.000 X	=	=	=	=
50800105	REINFORCEMENT BARS	POUND	5,430.000 X	=	=	=	=
50900205	STEEL RAILING TY S1	FOOT	235.000 X	=	=	=	=
51200957	FUR M S PILE 12X0.250	FOOT	1,220.000 X	=	=	=	=
51202305	DRIVING PILES	FOOT	1,220.000 X	=	=	=	=
51203200	TEST PILE MET SHELLS	EACH	2.000 X	=	=	=	=
51500100	NAME PLATES	EACH	1.000 X	=	=	=	=
58100200	WATERPRF MEMBRANE SYS	SQ YD	391.000 X	=	=	=	=
58300100	PC MORTAR FAIRING CSE	FOOT	264.000 X	=	=	=	=
60103600	PIPE DRAINS CS 15	FOOT	162.000 X	=	=	=	=
63100045	TRAF BAR TERM T2	EACH	1.000 X	=	=	=	=
63100075	TRAF BAR TERM T5A	EACH	4.000 X	=	=	=	=
63100167	TR BAR TRM T1 SPL TAN	EACH	3.000 X	=	=	=	=

ITEM NUMBER	PAY ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY	UNIT PRICE		TOTAL PRICE	
				DOLLARS	CENTS	DOLLARS	CTS
67100100	MOBILIZATION	L SUM	1.000 X				
70101830	TRAF CONT-PROT BLR 21	L SUM	1.000 X				
72501000	TERMINAL MARKER - DA	EACH	4.000 X				
				TOTAL \$			

NOTE:

1. EACH PAY ITEM SHOULD HAVE A UNIT PRICE AND A TOTAL PRICE.
2. THE UNIT PRICE SHALL GOVERN IF NO TOTAL PRICE IS SHOWN OR IF THERE IS A DISCREPANCY BETWEEN THE PRODUCT OF THE UNIT PRICE MULTIPLIED BY THE QUANTITY.
3. IF A UNIT PRICE IS OMITTED, THE TOTAL PRICE WILL BE DIVIDED BY THE QUANTITY IN ORDER TO ESTABLISH A UNIT PRICE.
4. A BID MAY BE DECLARED UNACCEPTABLE IF NEITHER A UNIT PRICE NOR A TOTAL PRICE IS SHOWN.

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STATE REQUIRED ETHICAL STANDARDS GOVERNING CONTRACT PROCUREMENT: ASSURANCES, CERTIFICATIONS AND DISCLOSURES

I. GENERAL

A. Article 50 of the Code establishes the duty of all State CPOs, SPOs, and their designees to maximize the value of the expenditure of public moneys in procuring goods, services, and contracts for the State of Illinois and to act in a manner that maintains the integrity and public trust of State government. In discharging this duty, they are charged by law to use all available information, reasonable efforts, and reasonable actions to protect, safeguard, and maintain the procurement process of the State of Illinois.

B. In order to comply with the provisions of Article 50 and to carry out the duty established therein, all bidders are to adhere to ethical standards established for the procurement process, and to make such assurances, disclosures and certifications required by law. Except as otherwise required in subsection III, paragraphs J-M, by execution of the Proposal Signature Sheet, the bidder indicates that each of the mandated assurances have been read and understood, that each certification is made and understood, and that each disclosure requirement has been understood and completed.

C. In addition to all other remedies provided by law, failure to comply with any assurance, failure to make any disclosure or the making of a false certification shall be grounds for the CPO to void the contract, and may result in the suspension or debarment of the bidder or subcontractor. If a false certification is made by a subcontractor the contractor's submitted bid and the executed contract may not be declared void unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontractor's certification was false.

I acknowledge, understand and accept these terms and conditions.

II. ASSURANCES

The assurances hereinafter made by the bidder are each a material representation of fact upon which reliance is placed should the Department enter into the contract with the bidder.

A. Conflicts of Interest

Section 50-13. Conflicts of Interest.

(a) Prohibition. It is unlawful for any person holding an elective office in this State, holding a seat in the General Assembly, or appointed to or employed in any of the offices or agencies of state government and who receives compensation for such employment in excess of 60% of the salary of the Governor of the State of Illinois, or who is an officer or employee of the Capital Development Board or the Illinois State Toll Highway Authority, or who is the spouse or minor child of any such person to have or acquire any contract, or any direct pecuniary interest in any contract therein, whether for stationery, printing, paper, or any services, materials, or supplies, that will be wholly or partially satisfied by the payment of funds appropriated by the General Assembly of the State of Illinois or in any contract of the Capital Development Board or the Illinois State Toll Highway Authority.

(b) Interests. It is unlawful for any firm, partnership, association or corporation, in which any person listed in subsection (a) is entitled to receive (i) more than 7 1/2% of the total distributable income or (ii) an amount in excess of the salary of the Governor, to have or acquire any such contract or direct pecuniary interest therein.

(c) Combined interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) together with his or her spouse or minor children is entitled to receive (i) more than 15%, in the aggregate, of the total distributable income or (ii) an amount in excess of 2 times the salary of the Governor, to have or acquire any such contract or direct pecuniary interest therein.

(d) Securities. Nothing in this Section invalidates the provisions of any bond or other security previously offered or to be offered for sale or sold by or for the State of Illinois.

(e) Prior interests. This Section does not affect the validity of any contract made between the State and an officer or employee of the State or member of the General Assembly, his or her spouse, minor child or any combination of those persons if that contract was in existence before his or her election or employment as an officer, member, or employee. The contract is voidable, however, if it cannot be completed within 365 calendar days after the officer, member, or employee takes office or is employed. The current salary of the Governor is \$177,412.00. Sixty percent of the salary is \$106,447.20.

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The bidder assures the Department that the award and execution of the contract would not cause a violation of Section 50-13, or that an effective exemption has been issued by the Board of Ethics to any individual subject to the Section 50-13 prohibitions pursuant to the provisions of Section 50-20 of the Code. Information concerning the exemption process is available from the Department upon request.

B. Negotiations

Section 50-15. Negotiations.

It is unlawful for any person employed in or on a continual contractual relationship with any of the offices or agencies of State government to participate in contract negotiations on behalf of that office or agency with any firm, partnership, association, or corporation with whom that person has a contract for future employment or is negotiating concerning possible future employment.

The bidder assures the Department that the award and execution of the contract would not cause a violation of Section 50-15, and that the bidder has no knowledge of any facts relevant to the kinds of acts prohibited therein.

C. Inducements

Section 50-25. Inducement.

Any person who offers or pays any money or other valuable thing to any person to induce him or her not to provide a submission to a vendor portal or to bid for a State contract or as recompense for not having bid on a State contract is guilty of a Class 4 felony. Any person who accepts any money or other valuable thing for not bidding for a State contract, not making a submission to a vendor portal, or who withholds a bid or submission to a vendor portal in consideration of the promise for the payment of money or other valuable thing is guilty of a Class 4 felony.

The bidder assures the Department that the award and execution of the contract would not cause a violation of Section 50-25, and that the bidder has no knowledge of any facts relevant to the kinds of acts prohibited therein.

D. Revolving Door Prohibition

Section 50-30. Revolving door prohibition.

CPOs, SPOs, procurement compliance monitors, their designees whose principal duties are directly related to State procurement, and executive officers confirmed by the Senate are expressly prohibited for a period of 2 years after terminating an affected position from engaging in any procurement activity relating to the State agency most recently employing them in an affected position for a period of at least 6 months. The prohibition includes, but is not limited to: lobbying the procurement process; specifying; bidding; proposing bid, proposal, or contract documents; on their own behalf or on behalf of any firm, partnership, association, or corporation. This Section applies only to persons who terminate an affected position on or after January 15, 1999.

The bidder assures the Department that the award and execution of the contract would not cause a violation of Section 50-30, and that the bidder has no knowledge of any facts relevant to the kinds of acts prohibited therein.

E. Reporting Anticompetitive Practices

Section 50-40. Reporting anticompetitive practices.

When, for any reason, any vendor, bidder, contractor, CPO, SPO, designee, elected official, or State employee suspects collusion or other anticompetitive practice among any bidders, offerors, contractors, proposers, or employees of the State, a notice of the relevant facts shall be transmitted to the Attorney General and the CPO.

The bidder assures the Department that it has not failed to report any relevant facts concerning the practices addressed in Section 50-40 which may involve the contract for which the bid or submission to a vendor portal is submitted.

F. Confidentiality

Section 50-45. Confidentiality.

Any CPO, SPO, designee, or executive officer who willfully uses or allows the use of specifications, competitive bid documents, proprietary competitive information, proposals, contracts, or selection information to compromise the fairness or integrity of the procurement, bidding, or contract process shall be subject to immediate dismissal, regardless of the Personnel code, any contract, or any collective bargaining agreement, and may in addition be subject to criminal prosecution.

The bidder assures the Department that it has no knowledge of any fact relevant to the practices addressed in Section 50-45 which may involve the contract for which the bid is submitted.

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G. Insider Information

Section 50-50. Insider information.

It is unlawful for any current or former elected or appointed State official or State employee to knowingly use confidential information available only by virtue of that office or employment for actual or anticipated gain for themselves or another person.

The bidder assures the Department that it has no knowledge of any facts relevant to the practices addressed in Section 50-50 which may involve the contract for which the bid is submitted.

I acknowledge, understand and accept these terms and conditions for the above assurances.

III. CERTIFICATIONS

The certifications hereinafter made by the bidder are each a material representation of fact upon which reliance is placed should the Department enter into the contract with the bidder. Section 50-2 of the Code provides that every person that has entered into a multi-year contract and every subcontractor with a multi-year subcontract shall certify, by July 1 of each fiscal year covered by the contract after the initial fiscal year, to the responsible CPO whether it continues to satisfy the requirements of Article 50 pertaining to the eligibility for a contract award. If a contractor or subcontractor is not able to truthfully certify that it continues to meet all requirements, it shall provide with its certification a detailed explanation of the circumstances leading to the change in certification status. A contractor or subcontractor that makes a false statement material to any given certification required under Article 50 is, in addition to any other penalties or consequences prescribed by law, subject to liability under the Whistleblower Reward and Protection Act for submission of a false claim.

A. Bribery

Section 50-5. Bribery.

(a) Prohibition. No person or business shall be awarded a contract or subcontract under this Code who:

(1) has been convicted under the laws of Illinois or any other state of bribery or attempting to bribe an officer or employee of the State of Illinois or any other state in that officer's or employee's official capacity; or

(2) has made an admission of guilt of that conduct that is a matter of record but has not been prosecuted for that conduct.

(b) Businesses. No business shall be barred from contracting with any unit of State or local government, or subcontracting under such a contract, as a result of a conviction under this Section of any employee or agent of the business if the employee or agent is no longer employed by the business and:

(1) the business has been finally adjudicated not guilty; or

(2) the business demonstrates to the governmental entity with which it seeks to contract, or which is signatory to the contract which the subcontract relates, and that entity finds that the commission of the offense was not authorized, requested, commanded, or performed by a director, officer, or high managerial agent on behalf of the business as provided in paragraph (2) of subsection (a) of Section 5-4 of the Criminal Code of 2012.

(c) Conduct on behalf of business. For purposes of this Section, when an official, agent, or employee of a business committed the bribery or attempted bribery on behalf of the business and in accordance with the direction or authorization of a responsible official of the business, the business shall be chargeable with the conduct.

(d) Certification. Every bid submitted to and contract executed by the State, and every subcontract subject to Section 20-120 of the Code shall contain a certification by the contractor or the subcontractor, respectively, that the contractor or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the CPO may declare the related contract void if any certifications required by this Section are false. A contractor who makes a false statement, material to the certification, commits a Class 3 felony.

The contractor or subcontractor certifies that it is not barred from being awarded a contract under Section 50-5.

B. Felons

Section 50-10. Felons.

(a) Unless otherwise provided, no person or business convicted of a felony shall do business with the State of Illinois or any State agency, or enter into a subcontract, from the date of conviction until 5 years after the date of completion of the sentence for that felony, unless no person held responsible by a prosecutorial office for the facts upon which the conviction was based continues to have any involvement with the business.

(b) Certification. Every bid submitted to and contract executed by the State and every subcontract subject to Section 20-120 of the Code and every vendor's submission to a vendor portal shall contain a certification by the bidder or contractor or subcontractor, respectively, that the bidder, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the CPO may declare the related contract void if any of the certifications required by this Section are false.

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C. Debt Delinquency

Section 50-11 and 50-12. Debt Delinquency.

The contractor or bidder or subcontractor, respectively, certifies that it, or any affiliate, is not barred from being awarded a contract or subcontract under the Code. Section 50-11 prohibits a person from entering into a contract with a State agency, or entering into a subcontract, if it knows or should know that it, or any affiliate, is delinquent in the payment of any debt to the State as defined by the Debt Collection Board. Section 50-12 prohibits a person from entering into a contract with a State agency, or entering into a subcontract, if it, or any affiliate, has failed to collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act. The bidder or contractor or subcontractor, respectively, further acknowledges that the CPO may declare the related contract void if this certification is false or if the bidder, contractor, or subcontractor, or any affiliate, is determined to be delinquent in the payment of any debt to the State during the term of the contract.

D. Prohibited Bidders, Contractors and Subcontractors

Section 50-10.5 and 50-60(c). Prohibited bidders, contractors and subcontractors.

The bidder or contractor or subcontractor, respectively, certifies in accordance with Section 50-10.5 that no officer, director, partner or other managerial agent of the contracting business has been convicted of a felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 or if in violation of Subsection (c) for a period of five years from the date of conviction. Every bid submitted to and contract executed by the State and every subcontract subject to Section 20-120 of the Code shall contain a certification by the bidder, contractor, or subcontractor, respectively, that the bidder, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the CPO shall declare the related contract void if any of the certifications completed pursuant to this Section are false.

E. Section 42 of the Environmental Protection Act

Section 50-14 Environmental Protection Act violations.

The bidder or contractor or subcontractor, respectively, certifies in accordance with Section 50-14 that the bidder, contractor, or subcontractor, is not barred from being awarded a contract or entering into a subcontract under this Section which prohibits the bidding on or entering into contracts with the State of Illinois or a State agency, or entering into any subcontract, that is subject to the Code by a person or business found by a court or the Pollution Control Board to have committed a willful or knowing violation of Section 42 of the Environmental Protection Act for a period of five years from the date of the order. The bidder or contractor or subcontractor, respectively, acknowledges that the CPO may declare the contract void if this certification is false.

F. Educational Loan

Section 3 of the Educational Loan Default Act, 5 ILCS 385/3.

Pursuant to the Educational Loan Default Act no State agency shall contract with an individual for goods or services if that individual is in default on an educational loan.

The bidder, if an individual as opposed to a corporation, partnership or other form of business organization, certifies that the bidder is not in default on an educational loan as provided in Section 3 of the Act.

G. Bid-Rigging/Bid Rotating

Section 33E-11 of the Criminal Code of 2012, 720 ILCS 5/3BE-11.

(a) Every bid submitted to and public contract executed pursuant to such bid by the State or a unit of local government shall contain a certification by the prime contractor that the prime contractor is not barred from contracting with any unit of State or local government as a result of a violation of either Section 33E-3 or 33E-4 of this Article.

(b) A contractor who makes a false statement, material to the certification, commits a Class 3 felony.

A violation of Section 33E-3 would be represented by a conviction of the crime of bid-rigging which, in addition to Class 3 felony sentencing, provides that any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be barred for 5 years from the date of conviction from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation.

The bidder certifies that it is not barred from contracting with the Department by reason of a violation of either Section 33E-3 or Section 33E-4.

RETURN WITH BID

H. International Anti-Boycott

Section 5 of the International Anti-Boycott Certification Act provides every contract entered into by the State of Illinois for the manufacture, furnishing, or purchasing of supplies, material, or equipment or for the furnishing of work, labor, or services, in an amount exceeding the threshold for small purchases according to the purchasing laws of this State or \$10,000.00, whichever is less, shall contain certification, as a material condition of the contract, by which the contractor agrees that neither the contractor nor any substantially-owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act.

The bidder makes the certification set forth in Section 5 of the Act.

I. Drug Free Workplace

The Illinois "Drug Free Workplace Act" applies to this contract and it is necessary to comply with the provisions of the "Act" if the contractor is a corporation, partnership, or other entity (including a sole proprietorship) which has 25 or more employees.

The bidder certifies that if awarded a contract in excess of \$5,000 it will provide a drug free workplace in compliance with the provisions of the Act.

J. Disclosure of Business Operations in Iran

Section 50-36 of the Code provides that each bid, offer, or proposal submitted for a State contract shall include a disclosure of whether or not the Company acting as the bidder, offeror, or proposing entity, or any of its corporate parents or subsidiaries, within the 24 months before submission of the bid, offer, or proposal had business operations that involved contracts with or provision of supplies or services to the Government of Iran, companies in which the Government of Iran has any direct or indirect equity share, consortiums or projects commissioned by the Government of Iran, or companies involved in consortiums or projects commissioned by the Government of Iran and either of the following conditions apply:

- (1) More than 10% of the Company's revenues produced in or assets located in Iran involve oil-related activities or mineral-extraction activities; less than 75% of the Company's revenues produced in or assets located in Iran involve contracts with or provision of oil-related or mineral-extraction products or services to the Government of Iran or a project or consortium created exclusively by that government; and the Company has failed to take substantial action.
- (2) The Company has, on or after August 5, 1996, made an investment of \$20 million or more, or any combination of investments of at least \$10 million each that in the aggregate equals or exceeds \$20 million in any 12-month period, which directly or significantly contributes to the enhancement of Iran's ability to develop petroleum resources of Iran.

The terms "Business operations", "Company", "Mineral-extraction activities", "Oil-related activities", "Petroleum resources", and "Substantial action" are all defined in the Code.

Failure to make the disclosure required by the Code may cause the bid, offer or proposal to be considered not responsive. The disclosure will be considered when evaluating the bid or awarding the contract. The name of each Company disclosed as doing business or having done business in Iran will be provided to the State Comptroller.

Check the appropriate statement:

Company has no business operations in Iran to disclose.

Company has business operations in Iran as disclosed on the attached document.

RETURN WITH BID

K. Apprenticeship and Training Certification (Does not apply to federal aid projects)

In accordance with the provisions of Section 30-22 (6) of the Code, the bidder certifies that it is a participant, either as an individual or as part of a group program, in the approved apprenticeship and training programs applicable to each type of work or craft that the bidder will perform with its own forces. The bidder further certifies for work that will be performed by subcontract that each of its subcontractors submitted for approval either (a) is, at the time of such bid, participating in an approved, applicable apprenticeship and training program; or (b) will, prior to commencement of performance of work pursuant to this contract, begin participation in an approved apprenticeship and training program applicable to the work of the subcontract. The Department, at any time before or after award, may require the production of a copy of each applicable Certificate of Registration issued by the United States Department of Labor evidencing such participation by the contractor and any or all of its subcontractors. Applicable apprenticeship and training programs are those that have been approved and registered with the United States Department of Labor. The bidder shall list in the space below, the official name of the program sponsor holding the Certificate of Registration for all of the types of work or crafts in which the bidder is a participant and that will be performed with the bidder's forces. Types of work or craft work that will be subcontracted shall be included and listed as subcontract work. The list shall also indicate any type of work or craft job category that does not have an applicable apprenticeship or training program. **The bidder is responsible for making a complete report and shall make certain that each type of work or craft job category that will be utilized on the project as reported on the Construction Employee Workforce Projection (Form BC-1256) and returned with the bid is accounted for and listed.**

Additionally, Section 30-22 of the Code requires that the bidder certify that an Illinois office be maintained as the primary place of employment for persons employed for this contract.

NA-FEDERAL

The requirements of these certifications and disclosures are a material part of the contract, and the contractor shall require these certification provisions to be included in all approved subcontracts. In order to fulfill this requirement, it shall not be necessary that an applicable program sponsor be currently taking, or that it will take applications for apprenticeship, training or employment during the performance of the work of this contract.

RETURN WITH BID

L. Political Contributions and Registration with the State Board of Elections

Sections 20-160 and 50-37 of the Code regulate political contributions from business entities and any affiliated entities or affiliated persons bidding on or contracting with the state. Generally under Section 50-37, any business entity, and any affiliated entity or affiliated person of the business entity, whose current year contracts with all state agencies exceed an awarded value of \$50,000, are prohibited from making any contributions to any political committees established to promote the candidacy of the officeholder responsible for the awarding of the contracts or any other declared candidate for that office for the duration of the term of office of the incumbent officeholder or a period 2 years after the termination of the contract, whichever is longer. Any business entity and affiliated entities or affiliated persons whose state contracts in the current year do not exceed an awarded value of \$50,000, but whose aggregate pending bids and proposals on state contracts exceed \$50,000, either alone or in combination with contracts not exceeding \$50,000, are prohibited from making any political contributions to any political committee established to promote the candidacy of the officeholder responsible for awarding the pending contract during the period beginning on the date the invitation for bids or request for proposals or any other procurement opportunity is issued and ending on the day after the date of award or selection if the entity was not awarded or selected. Section 20-160 requires certification of registration of affected business entities in accordance with procedures found in Section 9-35 of The Election Code.

By submission of a bid, the contractor business entity acknowledges and agrees that it has read and understands Sections 20-160 and 50-37 of the Code, and that it makes the following certification:

The undersigned bidder certifies that it has registered as a business with the State Board of Elections and acknowledges a continuing duty to update the registration in accordance with the above referenced statutes. If the business entity is required to register, the CPO shall verify that it is in compliance on the date the bid or proposal is due. The CPO shall not accept a bid or proposal if the business entity is not in compliance with the registration requirements.

These requirements and compliance with the above referenced statutory sections are a material part of the contract, and any breach thereof shall be cause to void the contract under Section 50-60 of the Code. This provision does not apply to Federal-aid contracts.

M. Lobbyist Disclosure

Section 50-38 of the Code requires that any bidder or offeror on a State contract that hires a person required to register under the Lobbyist Registration Act to assist in obtaining a contract shall:

- (i) Disclose all costs, fees, compensation, reimbursements, and other remunerations paid or to be paid to the lobbyist related to the contract,
- (ii) Not bill or otherwise cause the State of Illinois to pay for any of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration, and
- (iii) Sign a verification certifying that none of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration were billed to the State.

This information, along with all supporting documents, shall be filed with the agency awarding the contract and with the Secretary of State. The CPO shall post this information, together with the contract award notice, in the online Procurement Bulletin.

Pursuant to Subsection (c) of this Section, no person or entity shall retain a person or entity to attempt to influence the outcome of a procurement decision made under the Code for compensation contingent in whole or in part upon the decision or procurement. Any person who violates this subsection is guilty of a business offense and shall be fined not more than \$10,000.

Bidder acknowledges that it is required to disclose the hiring of any person required to register pursuant to the Illinois Lobbyist Registration Act (25 ILCS 170) in connection with this contract.

Bidder has not hired any person required to register pursuant to the Illinois Lobbyist Registration Act in connection with this contract.

Or

Bidder has hired the following persons required to register pursuant to the Illinois Lobbyist Registration Act in connection with the contract:

Name and address of person: _____
All costs, fees, compensation, reimbursements and other remuneration paid to said person: _____

I acknowledge, understand and accept these terms and conditions for the above certifications.

RETURN WITH BID

IV. DISCLOSURES

- A. The disclosures hereinafter made by the bidder are each a material representation of fact upon which reliance is placed should the Department enter into the contract with the bidder. The bidder further certifies that the Department has received the disclosure forms for each bid.

The CPO may void the bid, or contract, respectively, if it is later determined that the bidder or subcontractor rendered a false or erroneous disclosure. A contractor or subcontractor may be suspended or debarred for violations of the Code. Furthermore, the CPO may void the contract and the surety providing the performance bond shall be responsible for completion of the contract.

B. Financial Interests and Conflicts of Interest

1. Section 50-35 of the Code provides that all bids of more than \$50,000 and all submissions to a vendor portal shall be accompanied by disclosure of the financial interests of the bidder. This disclosed information for the successful bidder, will be maintained as public information subject to release by request pursuant to the Freedom of Information Act, filed with the Procurement Policy Board, and shall be incorporated as a material term of the contract. Furthermore, pursuant to Section 5-5, the Procurement Policy Board may review a proposal, bid, or contract and issue a recommendation to void a contract or reject a proposal or bid based on any violation of the Code or the existence of a conflict of interest as provided in subsections (b) and (d) of Section 50-35.

The financial interests to be disclosed shall include ownership or distributive income share that is in excess of 5%, or an amount greater than 60% of the annual salary of the Governor, of the bidding entity or its parent entity, whichever is less, unless the contractor or bidder is a publicly traded entity subject to Federal 10K reporting, in which case it may submit its 10K disclosure in place of the prescribed disclosure. If a bidder is a privately held entity that is exempt from Federal 10K reporting, but has more than 100 shareholders, it may submit the information that Federal 10K companies are required to report, and list the names of any individual or entity holding any ownership share that is in excess of 5%. The disclosure shall include the names, addresses, and dollar or proportionate share of ownership of each individual making the disclosure, their instrument of ownership or beneficial relationship, and notice of any potential conflict of interest resulting from the current ownership or beneficial interest of each individual making the disclosure having any of the relationships identified in Section 50-35 and on the disclosure form.

The current annual salary of the Governor is \$177,412.00.

In addition, all disclosures shall indicate any other current or pending contracts, proposals, leases, or other ongoing procurement relationships the bidding entity has with any other unit of state government and shall clearly identify the unit and the contract, proposal, lease, or other relationship.

2. Disclosure Forms. Disclosure Form A is attached for use concerning the individuals meeting the above ownership or distributive share requirements. A separate Disclosure Form A must be submitted with the bid for each individual meeting the above requirements. In addition, a second form (Disclosure Form B) provides for the disclosure of current or pending procurement relationships with other (non-IDOT) state agencies and a total ownership certification. **The forms must be included with each bid.**

C. Disclosure Form Instructions

Form A Instructions for Financial Information & Potential Conflicts of Interest

If the bidder is a publicly traded entity subject to Federal 10K reporting, the 10K Report may be submitted to meet the requirements of Form A. If a bidder is a privately held entity that is exempt from Federal 10K reporting, but has more than 100 shareholders, it may submit the information that Federal 10K companies are required to report, and list the names of any individual or entity holding any ownership share that is in excess of 5%. If a bidder is not subject to Federal 10K reporting, the bidder must determine if any individuals are required by law to complete a financial disclosure form. To do this, the bidder should answer each of the following questions. A "YES" answer indicates Form A must be completed. If the answer to each of the following questions is "NO", then the NOT APPLICABLE STATEMENT on Form A must be signed and dated by an individual that is authorized to execute contracts for the bidding company. Note: These questions are for assistance only and are not required to be completed.

1. Does anyone in your organization have a direct or beneficial ownership share of greater than 5% of the bidding entity or parent entity? YES ___ NO ___
2. Does anyone in your organization have a direct or beneficial ownership share of less than 5%, but which has a value greater than 60% of the annual salary of the Governor? YES ___ NO ___
3. Does anyone in your organization receive more than 60% of the annual salary of the Governor of the bidding entity's or parent entity's distributive income? YES ___ NO ___
4. Does anyone in your organization receive greater than 5% of the bidding entity's or parent entity's total distributive income, but which is less than 60% of the annual salary of the Governor? YES ___ NO ___

(Note: Only one set of forms needs to be completed per individual per bid even if a specific individual would require a yes answer to more than one question.)

A "YES" answer to any of these questions requires the completion of Form A. The bidder must determine each individual in the bidding entity or the bidding entity's parent company that would cause the questions to be answered "Yes". Each form must be signed and dated by an individual that is authorized to execute contracts for your organization. The individual signing can be, but does not have to be, the individual for which the form is being completed. The bidder is responsible for the accuracy of any information provided.

If the answer to each of the above questions is "NO", then the NOT APPLICABLE STATEMENT of Form A must be signed and dated by an individual that is authorized to execute contracts for your company.

RETURN WITH BID

Form B: Instructions for Identifying Other Contracts & Procurement Related Information

Disclosure Form B must be completed for each bid submitted by the bidding entity. *Note: Checking the NOT APPLICABLE STATEMENT on Form A does not allow the bidder to ignore Form B. Form B must be completed, checked, and dated or the bidder may be considered nonresponsive and the bid will not be accepted.*

The Bidder shall identify, by checking Yes or No on Form B, whether it has any pending contracts (including leases), bids, proposals, or other ongoing procurement relationship with any other (non-IDOT) State of Illinois agency. If "No" is checked, the bidder only needs to complete the check box on the bottom of Form B. If "Yes" is checked, the bidder must do one of the following:

Option I: If the bidder did not submit an Affidavit of Availability to obtain authorization to bid, the bidder must list all non-IDOT State of Illinois agency pending contracts, leases, bids, proposals, and other ongoing procurement relationships. These items may be listed on Form B or on an attached sheet(s). Do not include IDOT contracts. Contracts with cities, counties, villages, etc. are not considered State of Illinois agency contracts and are not to be included. Contracts with other State of Illinois agencies such as the Department of Natural Resources or the Capital Development Board must be included. Bidders who submit Affidavits of Availability are suggested to use Option II.

Option II: If the bidder is required and has submitted an Affidavit of Availability in order to obtain authorization to bid, the bidder may write or type "See Affidavit of Availability" which indicates that the Affidavit of Availability is incorporated by reference and includes all non-IDOT State of Illinois agency pending contracts, leases, bids, proposals, and other ongoing procurement relationships. For any contracts that are not covered by the Affidavit of Availability, the bidder must identify them on Form B or on an attached sheet(s). These might be such things as leases.

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**ILLINOIS DEPARTMENT
OF TRANSPORTATION**

**Form A
Financial Information &
Potential Conflicts of Interest
Disclosure**

Contractor Name		
Legal Address		
City, State, Zip		
Telephone Number	Email Address	Fax Number (if available)

Disclosure of the information contained in this Form is required by Section 50-35 of the Code (30 ILCS 500). Vendors desiring to enter into a contract with the State of Illinois must disclose the financial information and potential conflict of interest information as specified in this Disclosure Form. This information shall become part of the publicly available contract file. This Form A must be completed for bids in excess of \$50,000, and for all open-ended contracts. **A publicly traded company may submit a 10K disclosure (or equivalent if applicable) in satisfaction of the requirements set forth in Form A. See Disclosure Form Instructions.**

The current annual salary of the Governor is \$177,412.00.

DISCLOSURE OF FINANCIAL INFORMATION

- 1. Disclosure of Financial Information.** The individual named below has an interest in the BIDDER (or its parent) in terms of ownership or distributive income share in excess of 5%, or an interest which has a value of more than 60% of the annual salary of the Governor. **(Make copies of this form as necessary and attach a separate Disclosure Form A for each individual meeting these requirements)**

FOR INDIVIDUAL (type or print information)	
NAME:	_____
ADDRESS	_____
Type of ownership/distributable income share:	
stock _____	sole proprietorship _____
Partnership _____	other: (explain on separate sheet): _____
% or \$ value of ownership/distributable income share: _____	

- 2. Disclosure of Potential Conflicts of Interest.** Check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If the answer to any question is "Yes", please attach additional pages and describe.

- (a) State employment, currently or in the previous 3 years, including contractual employment of services.
Yes ___ No ___

If your answer is yes, please answer each of the following questions.

- Are you currently an officer or employee of either the Capitol Development Board or the Illinois State Toll Highway Authority? Yes ___ No ___
- Are you currently appointed to or employed by any agency of the State of Illinois? If you are currently appointed to or employed by any agency of the State of Illinois, and your annual salary exceeds 60% of the annual salary of the Governor provide the name the State agency for which you are employed and your annual salary. _____

RETURN WITH BID

3. If you are currently appointed to or employed by any agency of the State of Illinois, and your annual salary exceeds 60% of the annual salary of the Governor, are you entitled to receive (i) more than 7 1/2% of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess of 100% of the annual salary of the Governor? Yes ___ No ___
4. If you are currently appointed to or employed by any agency of the State of Illinois, and your annual salary exceeds 60% of the annual salary of the Governor, are you and your spouse or minor children entitled to receive (i) more than 15% in aggregate of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess of two times the salary of the Governor? Yes ___ No ___

(b) State employment of spouse, father, mother, son, or daughter, including contractual employment for services in the previous 2 years.

Yes ___ No ___

If your answer is yes, please answer each of the following questions.

1. Is your spouse or any minor children currently an officer or employee of the Capitol Development Board or the Illinois State Toll Highway Authority? Yes ___ No ___
2. Is your spouse or any minor children currently appointed to or employed by any agency of the State of Illinois? If your spouse or minor children is/are currently appointed to or employed by any agency of the State of Illinois, and his/her annual salary exceeds 60% of the annual salary of the Governor, provide the name of the spouse and/or minor children, the name of the State agency for which he/she is employed and his/her annual salary. _____
-
3. If your spouse or any minor children is/are currently appointed to or employed by any agency of the State of Illinois, and his/her annual salary exceeds 60% of the annual salary of the Governor, are you entitled to receive (i) more than 7 1/2% of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess 100% of the annual salary of the Governor? Yes ___ No ___
4. If your spouse or any minor children are currently appointed to or employed by any agency of the State of Illinois, and his/her annual salary exceeds 60% of the annual salary of the Governor, are you and your spouse or any minor children entitled to receive (i) more than 15% in the aggregate of the total distributable income from your firm, partnership, association or corporation, or (ii) an amount in excess of two times the salary of the Governor? Yes ___ No ___

(c) Elective status; the holding of elective office of the State of Illinois, the government of the United States, any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois currently or in the previous 3 years. Yes ___ No ___

(d) Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son, or daughter. Yes ___ No ___

(e) Appointive office; the holding of any appointive government office of the State of Illinois, the United State of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of the expenses incurred in the discharge of that office currently or in the previous 3 years. Yes ___ No ___

(f) Relationship to anyone holding appointive office currently or in the previous 2 years; spouse, father, mother, son, or daughter. Yes ___ No ___

(g) Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government. Yes ___ No ___

RETURN WITH BID

(h) Relationship to anyone who is or was a registered lobbyist in the previous 2 years; spouse, father, mother, son, or daughter. Yes ___ No ___

(i) Compensated employment, currently or in the previous 3 years, by any registered election or reelection committee registered with the Secretary of State or any county clerk of the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections. Yes ___ No ___

(j) Relationship to anyone; spouse, father, mother, son, or daughter; who was a compensated employee in the last 2 years by any registered election or re-election committee registered with the Secretary of State or any county clerk of the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections. Yes ___ No ___

3. Communication Disclosure.

Disclose the name and address of each lobbyist and other agent of the bidder or offeror who is not identified in Section 2 of this form, who is has communicated, is communicating, or may communicate with any State officer or employee concerning the bid or offer. This disclosure is a continuing obligation and must be promptly supplemented for accuracy throughout the process and throughout the term of the contract. If no person is identified, enter "None" on the line below:

Name and address of person(s): _____

RETURN WITH BID

4. Suspension or Debarment Disclosure. For each of the persons identified under Sections 2 and 3 of this form, disclose whether any of the following has occurred within the previous 10 years: suspension or debarment from contracting with any governmental entity; professional licensure discipline; bankruptcies; adverse civil judgments and administrative findings; and criminal felony convictions. This disclosure is a continuing obligation and must be promptly supplemented for accuracy throughout the procurement process and term of the contract. If no person is identified, enter "None" on the line below:

Name of person(s): _____

Nature of disclosure: _____

APPLICABLE STATEMENT

This Disclosure Form A is submitted on behalf of the INDIVIDUAL named on previous page. Under penalty of perjury, I certify the contents of this disclosure to be true and accurate to the best of my knowledge.

Completed by: _____ Date _____
Signature of Individual or Authorized Representative

NOT APPLICABLE STATEMENT

Under penalty of perjury, I have determined that no individuals associated with this organization meet the criteria that would require the completion of this Form A.

This Disclosure Form A is submitted on behalf of the CONTRACTOR listed on the previous page.

_____ Date _____
Signature of Authorized Representative

The bidder has a continuing obligation to supplement these disclosures under Sec. 50-35 of the Code.

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ILLINOIS DEPARTMENT OF TRANSPORTATION

Form B Other Contracts & Financial Related Information Disclosure

Contractor Name, Legal Address, City, State, Zip, Telephone Number, Email Address, Fax Number (if available)

Disclosure of the information contained in this Form is required by Section 50-35 of the Code (30 ILCS 500). This information shall become part of the publicly available contract file. This Form B must be completed for all bids.

DISCLOSURE OF OTHER CONTRACTS AND PROCUREMENT RELATED INFORMATION

1. Identifying Other Contracts & Procurement Related Information. The BIDDER shall identify whether it has any pending contracts (including leases), bids, proposals, or other ongoing procurement relationship with any other State of Illinois agency: Yes ___ No ___ If "No" is checked, the bidder only needs to complete the signature box on this page.

2. If "Yes" is checked. Identify each such relationship by showing State of Illinois agency name and other descriptive information such as bid or project number (attach additional pages as necessary). SEE DISCLOSURE FORM INSTRUCTIONS:

THE FOLLOWING STATEMENT MUST BE CHECKED

Signature of Authorized Representative, Date

OWNERSHIP CERTIFICATION

Please certify that the following statement is true if the individuals for all submitted Form A disclosures do not total 100% of ownership.

Any remaining ownership interest is held by individuals receiving less than \$106,447.20 of the bidding entity's or parent entity's distributive income or holding less than a 5% ownership interest.

Yes No N/A (Form A disclosure(s) established 100% ownership)

RETURN WITH BID

SPECIAL NOTICE TO CONTRACTORS

The following requirements of the Illinois Department of Human Rights Act are applicable to bidders on all construction contracts advertised by the Illinois Department of Transportation:

CONSTRUCTION EMPLOYEE UTILIZATION PROJECTION

- (a) All bidders on construction contracts shall complete and submit, along with and as part of their bids, a Bidder's Employee Utilization Form (Form BC-1256) setting forth a projection and breakdown of the total workforce intended to be hired and/or allocated to such contract work by the bidder including a projection of minority and female employee utilization in all job classifications on the contract project.
- (b) The Department of Transportation shall review the Employee Utilization Form, and workforce projections contained therein, of the contract awardee to determine if such projections reflect an underutilization of minority persons and/or women in any job classification in accordance with the Equal Employment Opportunity Clause and Title 44, Illinois Administrative Code, Section 750.120. If it is determined that the contract awardee's projections reflect an underutilization of minority persons and/or women in any job classification, it shall be advised in writing of the manner in which it is underutilizing and such awardee shall be considered to be in breach of the contract unless, prior to commencement of work on the contract project, it submits revised satisfactory projections or an acceptable written affirmative action plan to correct such underutilization including a specific timetable geared to the completion stages of the contract.
- (c) The Department of Transportation shall provide to the Department of Human Rights a copy of the contract awardee's Employee Utilization Form, a copy of any required written affirmative action plan, and any written correspondence related thereto. The Department of Human Rights may review and revise any action taken by the Department of Transportation with respect to these requirements.

RETURN WITH BID

**Contract No. 93660
SANGAMON County
Section 07-13106-01-BR
Project BROS-0167(054)
Route TR 197 (Old Salem Lane)
District 6 Construction Funds**

PART II. WORKFORCE PROJECTION - continued

- B. Included in "Total Employees" under Table A is the total number of **new hires** that would be employed in the event the undersigned bidder is awarded this contract.

The undersigned bidder projects that: (number) _____ new hires would be recruited from the area in which the contract project is located; and/or (number) _____ new hires would be recruited from the area in which the bidder's principal office or base of operation is located.

- C. Included in "Total Employees" under Table A is a projection of numbers of persons to be employed directly by the undersigned bidder as well as a projection of numbers of persons to be employed by subcontractors.

The undersigned bidder estimates that (number) _____ persons will be directly employed by the prime contractor and that (number) _____ persons will be employed by subcontractors.

PART III. AFFIRMATIVE ACTION PLAN

- A. The undersigned bidder understands and agrees that in the event the foregoing minority and female employee utilization projection included under **PART II** is determined to be an underutilization of minority persons or women in any job category, and in the event that the undersigned bidder is awarded this contract, he/she will, prior to commencement of work, develop and submit a written Affirmative Action Plan including a specific timetable (geared to the completion stages of the contract) whereby deficiencies in minority and/or female employee utilization are corrected. Such Affirmative Action Plan will be subject to approval by the contracting agency and the **Illinois Department of Human Rights**.
- B. The undersigned bidder understands and agrees that the minority and female employee utilization projection submitted herein, and the goals and timetable included under an Affirmative Action Plan if required, are deemed to be part of the contract specifications.

Company _____ Telephone Number _____

Address _____

NOTICE REGARDING SIGNATURE

The Bidder's signature on the Proposal Signature Sheet will constitute the signing of this form. The following signature block needs to be completed only if revisions are required.

Signature: _____ Title: _____ Date: _____

- Instructions: All tables must include subcontractor personnel in addition to prime contractor personnel.
- Table A - Include both the number of employees that would be hired to perform the contract work and the total number currently employed (Table B) that will be allocated to contract work, and include all apprentices and on-the-job trainees. The "Total Employees" column should include all employees including all minorities, apprentices and on-the-job trainees to be employed on the contract work.
- Table B - Include all employees currently employed that will be allocated to the contract work including any apprentices and on-the-job trainees currently employed.
- Table C - Indicate the racial breakdown of the total apprentices and on-the-job trainees shown in Table A.

RETURN WITH BID

ADDITIONAL FEDERAL REQUIREMENTS

In addition to the Required Contract Provisions for Federal-Aid Construction Contracts (FHWA 1273), all bidders make the following certifications.

- A. By the execution of this proposal, the signing bidder certifies that the bidding entity has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action, in restraint of free competitive bidding in connection with the submitted bid. This statement made by the undersigned bidder is true and correct under penalty of perjury under the laws of the United States.
- B. CERTIFICATION, EQUAL EMPLOYMENT OPPORTUNITY:
1. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause. YES _____ NO _____
 2. If answer to #1 is yes, have you filed with the Joint Reporting Committee, the Director of OFCC, any Federal agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements of those organizations? YES _____ NO _____

RETURN WITH BID

**Contract No. 93660
SANGAMON County
Section 07-13106-01-BR
Project BROS-0167(054)
Route TR 197 (Old Salem Lane)
District 6 Construction Funds**

PROPOSAL SIGNATURE SHEET

The undersigned bidder hereby makes and submits this bid on the subject Proposal, thereby assuring the Department that all requirements of the Invitation for Bids and rules of the Department have been met, that there is no misunderstanding of the requirements of paragraph 3 of this Proposal, and that the contract will be executed in accordance with the rules of the Department if an award is made on this bid.

(IF AN INDIVIDUAL)

Firm Name _____
Signature of Owner _____
Business Address _____

(IF A CO-PARTNERSHIP)

Firm Name _____
By _____
Business Address _____
Name and Address of All Members of the Firm:

(IF A CORPORATION)

Corporate Name _____
By _____
Signature of Authorized Representative _____
Typed or printed name and title of Authorized Representative _____
Attest _____
Signature _____
(IF A JOINT VENTURE, USE THIS SECTION FOR THE MANAGING PARTY AND THE SECOND PARTY SHOULD SIGN BELOW)
Business Address _____

(IF A JOINT VENTURE)

Corporate Name _____
By _____
Signature of Authorized Representative _____
Typed or printed name and title of Authorized Representative _____
Attest _____
Signature _____
Business Address _____

If more than two parties are in the joint venture, please attach an additional signature sheet.



This Annual Proposal Bid Bond shall become effective at 12:01 AM (CDST) on _____ and shall be valid until _____ 11:59 PM (CDST).

KNOW ALL PERSONS BY THESE PRESENTS, That We _____

as PRINCIPAL, and _____

as SURETY, and held jointly, severally and firmly bound unto the STATE OF ILLINOIS in the penal sum of 5 percent of the total bid price, or for the amount specified in the bid proposal under "Proposal Guaranty" in effect on the date of the Invitation for Bids, whichever is the lesser sum, well and truly to be paid unto said STATE OF ILLINOIS, for the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that whereas, the PRINCIPAL may submit bid proposal(s) to the STATE OF ILLINOIS, acting through the Department of Transportation, for various improvements published in the Transportation Bulletin during the effective term indicated above.

NOW, THEREFORE, if the Department shall accept the bid proposal(s) of the PRINCIPAL; and if the PRINCIPAL shall, within the time and as specified in the bidding and contract documents; and if, after award by the Department, the PRINCIPAL shall enter into a contract in accordance with the terms of the bidding and contract documents including evidence of the required insurance coverages and providing such bond as specified with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof; or if, in the event of the failure of the PRINCIPAL to enter into such contract and to give the specified bond, the PRINCIPAL pays to the Department the difference not to exceed the penalty hereof between the amount specified in the bid proposal and such larger amount for which the Department may contract with another party to perform the work covered by said bid proposal, then this obligation shall be null and void, otherwise, it shall remain in full force and effect.

IN THE EVENT the Department determines the PRINCIPAL has failed to comply with any requirement as set forth in the preceding paragraph, then Surety shall pay the penal sum to the Department within fifteen (15) days of written demand therefor. If Surety does not make full payment within such period of time, the Department may bring an action to collect the amount owed. Surety is liable to the Department for all its expenses, including attorney's fees, incurred in any litigation in which it prevails either in whole or in part.

In TESTIMONY WHEREOF, the said PRINCIPAL has caused this instrument to be signed by its officer _____ day of _____ A.D., _____

In TESTIMONY WHEREOF, the said SURETY has caused this instrument to be signed by its officer _____ day of _____ A.D., _____

(Company Name)

(Company Name)

By _____
(Signature and Title)

By _____
(Signature of Attorney-in-Fact)

Notary for PRINCIPAL

Notary for SURETY

STATE OF _____
COUNTY OF _____

STATE OF _____
COUNTY OF _____

Signed and attested before me on _____ (date)

Signed and attested before me on _____ (date)

by _____
(Name of Notary Public)

by _____
(Name of Notary Public)

(Seal) _____
(Signature of Notary Public)

(Seal) _____
(Signature of Notary Public)

(Date Commission Expires)

(Date Commission Expires)

In lieu of completing the above section of the Annual Proposal Bid Bond form, the Principal may file an Electronic Bid Bond. By signing the proposal(s) the Principal is ensuring the identified electronic bid bond has been executed and the Principal and Surety are firmly bound unto the State of Illinois under the conditions of the bid bond as shown above.

Electronic Bid Bond ID #	Company/Bidder Name	Signature and Title
--------------------------	---------------------	---------------------

This bond may be terminated, at Surety's request, upon giving not less than thirty (30) days prior written notice of the cancellation/termination of the bond. Said written notice shall be issued to the Illinois Department of Transportation, Chief Contracts Official, 2300 South Dirksen Parkway, Springfield, Illinois, 62764, and shall be served in person, by receipted courier delivery or certified or registered mail, return receipt requested. Said notice period shall commence on the first calendar day following the Department's receipt of written cancellation/termination notice. Surety shall remain firmly bound to all obligations herein for proposals submitted prior to the cancellation/termination. Surety shall be released and discharged from any obligation(s) for proposals submitted for any letting or date after the effective date of cancellation/termination.



Item No. _____

Letting Date _____

KNOW ALL PERSONS BY THESE PRESENTS, That We _____

as PRINCIPAL, and _____

as SURETY, and held jointly, severally and firmly bound unto the STATE OF ILLINOIS in the penal sum of 5 percent of the total bid price, or for the amount specified in the bid proposal under "Proposal Guaranty" in effect on the date of the Invitation for Bids, whichever is the lesser sum, well and truly to be paid unto said STATE OF ILLINOIS, for the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that whereas, the PRINCIPAL has submitted a bid proposal to the STATE OF ILLINOIS, acting through the Department of Transportation, for the improvement designated by the Transportation Bulletin Item Number and Letting Date indicated above.

NOW, THEREFORE, if the Department shall accept the bid proposal of the PRINCIPAL; and if the PRINCIPAL shall, within the time and as specified in the bidding and contract documents; and if, after award by the Department, the PRINCIPAL shall enter into a contract in accordance with the terms of the bidding and contract documents including evidence of the required insurance coverages and providing such bond as specified with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof; or if, in the event of the failure of the PRINCIPAL to enter into such contract and to give the specified bond, the PRINCIPAL pays to the Department the difference not to exceed the penalty hereof between the amount specified in the bid proposal and such larger amount for which the Department may contract with another party to perform the work covered by said bid proposal, then this obligation shall be null and void, otherwise, it shall remain in full force and effect.

IN THE EVENT the Department determines the PRINCIPAL has failed to comply with any requirement as set forth in the preceding paragraph, then Surety shall pay the penal sum to the Department within fifteen (15) days of written demand therefor. If Surety does not make full payment within such period of time, the Department may bring an action to collect the amount owed. Surety is liable to the Department for all its expenses, including attorney's fees, incurred in any litigation in which it prevails either in whole or in part.

In TESTIMONY WHEREOF, the said PRINCIPAL has caused this instrument to be signed by its officer _____ day of _____ A.D., _____.

In TESTIMONY WHEREOF, the said SURETY has caused this instrument to be signed by its officer _____ day of _____ A.D., _____.

(Company Name)

(Company Name)

By _____
(Signature and Title)

By _____
(Signature of Attorney-in-Fact)

Notary for PRINCIPAL

Notary for SURETY

STATE OF _____
COUNTY OF _____

STATE OF _____
COUNTY OF _____

Signed and attested before me on _____ (date)
by _____

Signed and attested before me on _____ (date)
by _____

(Name of Notary Public)

(Name of Notary Public)

(Seal) _____
(Signature of Notary Public)

(Seal) _____
(Signature of Notary Public)

(Date Commission Expires)

(Date Commission Expires)

In lieu of completing the above section of the Proposal Bid Bond form, the Principal may file an Electronic Bid Bond. By signing the proposal the Principal is ensuring the identified electronic bid bond has been executed and the Principal and Surety are firmly bound unto the State of Illinois under the conditions of the bid bond as shown above.

Electronic Bid Bond ID # _____ Company/Bidder Name _____ Signature and Title _____

(1) Policy

It is public policy that disadvantageded businesses as defined in 49 CFR Part 26 and the Special Provision shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal or State funds. Consequently the requirements of 49 CFR Part 26 apply to this contract.

(2) Obligation

The contractor agrees to ensure that disadvantageded businesses as defined in 49 CFR Part 26 and the Special Provision have the maximum opportunity to participate in the performance of contracts or subcontracts financed in whole or in part with Federal or State funds. The contractor shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 and the Special Provision to ensure that said businesses have the maximum opportunity to compete for and perform under this contract. The contractor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts.

(3) Project and Bid Identification

Complete the following information concerning the project and bid:

Route _____	Total Bid _____
Section _____	Contract DBE Goal _____ (Percent) _____ (Dollar Amount)
Project _____	
County _____	
Letting Date _____	
Contract No. _____	
Letting Item No. _____	

(4) Assurance

I, acting in my capacity as an officer of the undersigned bidder (or bidders if a joint venture), hereby assure the Department that on this project my company : (check one)

- Meets or exceeds contract award goals and has provided documented participation as follows:
Disadvantaged Business Participation _____ percent

Attached are the signed participation statements, forms SBE 2025, required by the Special Provision evidencing availability and use of each business participating in this plan and assuring that each business will perform a commercially useful function in the work of the contract.

- Failed to meet contract award goals and has included good faith effort documentation to meet the goals and that my company has provided participation as follows:

Disadvantaged Business Participation _____ percent

The contract goals should be accordingly modified or waived. Attached is all information required by the Special Provision in support of this request including good faith effort. Also attached are the signed participation statements, forms SBE 2025, required by the Special Provision evidencing availability and use of each business participating in this plan and assuring that each business will perform a commercially useful function in the work of the contract.

Company

By _____

Title _____

Date _____

The "as read" Low Bidder is required to comply with the Special Provision.

Submit only one utilization plan for each project. The utilization plan shall be submitted in accordance with the special provision.

Bureau of Small Business Enterprises
2300 South Dirksen Parkway
Springfield, Illinois 62764

Local Let Projects
Submit forms to the
Local Agency

PROPOSAL ENVELOPE



PROPOSALS

for construction work advertised for bids by the
Illinois Department of Transportation

Item No.	Item No.	Item No.

Submitted By:

Name:
Address:
Phone No.

Bidders should use an IDOT proposal envelope or affix this form to the front of a 10" x 13" envelope for the submittal of bids. If proposals are mailed, they should be enclosed in a second or outer envelope addressed to:

Engineer of Design and Environment - Room 326
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, Illinois 62764

NOTICE

Individual bids, including Bid Bond and/or supplemental information if required, should be securely stapled.

CONTRACTOR OFFICE COPY OF CONTRACT SPECIFICATIONS

NOTICE

None of the following material needs to be returned with the bid package unless the special provisions require documentation and/or other information to be submitted.

**Contract No. 93660
SANGAMON County
Section 07-13106-01-BR
Project BROS-0167(054)
Route TR 197 (Old Salem Lane)
District 6 Construction Funds**



Illinois Department of Transportation

SUBCONTRACTOR DOCUMENTATION

Public Acts 96-0795, 96-0920, and 97-0895 enacted substantial changes to the provisions of the Code (30 ILCS 500). Among the changes are provisions affecting subcontractors. The Contractor awarded this contract will be required as a material condition of the contract to implement and enforce the contract requirements applicable to subcontractors that entered into a contractual agreement with a total value of \$50,000 or more with a person or entity who has a contract subject to the Code and approved in accordance with article 108.01 of the Standard Specifications for Road and Bridge Construction.

If the Contractor seeks approval of subcontractors to perform a portion of the work, and approval is granted by the Department, the Contractor shall provide a copy of the subcontract to the Illinois Department of Transportation's CPO upon request within 15 calendar days after execution of the subcontract.

Financial disclosures required pursuant to Sec. 50-35 of the Code must be submitted for all applicable subcontractors. The subcontract shall contain the certifications required to be made by subcontractors pursuant to Article 50 of the Code. This Notice to Bidders includes a document incorporating all required subcontractor certifications and disclosures for use by the Contractor in compliance with this mandate. The document is entitled State Required Ethical Standards Governing Subcontractors.

RETURN WITH SUBCONTRACT

STATE ETHICAL STANDARDS GOVERNING SUBCONTRACTORS

Article 50 of the Code establishes the duty of all State CPOs, SPOs, and their designees to maximize the value of the expenditure of public moneys in procuring goods, services, and contracts for the State of Illinois and to act in a manner that maintains the integrity and public trust of State government. In discharging this duty, they are charged by law to use all available information, reasonable efforts, and reasonable actions to protect, safeguard, and maintain the procurement process of the State of Illinois.

The certifications hereinafter made by the subcontractor are each a material representation of fact upon which reliance is placed should the Department approve the subcontractor. The CPO may terminate or void the contract approval if it is later determined that the bidder or subcontractor rendered a false or erroneous certification. If a false certification is made by a subcontractor the contractor's submitted bid and the executed contract may not be declared void unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontractor's certification was false.

Section 50-2 of the Code provides that every person that has entered into a multi-year contract and every subcontractor with a multi-year subcontract shall certify, by July 1 of each fiscal year covered by the contract after the initial fiscal year, to the responsible CPO whether it continues to satisfy the requirements of Article 50 pertaining to the eligibility for a contract award. If a contractor or subcontractor is not able to truthfully certify that it continues to meet all requirements, it shall provide with its certification a detailed explanation of the circumstances leading to the change in certification status. A contractor or subcontractor that makes a false statement material to any given certification required under Article 50 is, in addition to any other penalties or consequences prescribed by law, subject to liability under the Whistleblower Reward and Protection Act for submission of a false claim.

A. Bribery

Section 50-5. Bribery.

(a) Prohibition. No person or business shall be awarded a contract or subcontract under this Code who:

(1) has been convicted under the laws of Illinois or any other state of bribery or attempting to bribe an officer or employee of the State of Illinois or any other state in that officer's or employee's official capacity; or

(2) has made an admission of guilt of that conduct that is a matter of record but has not been prosecuted for that conduct.

(b) Businesses. No business shall be barred from contracting with any unit of State or local government, or subcontracting under such a contract, as a result of a conviction under this Section of any employee or agent of the business if the employee or agent is no longer employed by the business and:

(1) the business has been finally adjudicated not guilty; or

(2) the business demonstrates to the governmental entity with which it seeks to contract, or which is signatory to the contract to which the subcontract relates, and that entity finds that the commission of the offense was not authorized, requested, commanded, or performed by a director, officer, or high managerial agent on behalf of the business as provided in paragraph (2) of subsection (a) of Section 5-4 of the Criminal Code of 2012.

(c) Conduct on behalf of business. For purposes of this Section, when an official, agent, or employee of a business committed the bribery or attempted bribery on behalf of the business and in accordance with the direction or authorization of a responsible official of the business, the business shall be chargeable with the conduct.

(d) Certification. Every bid submitted to and contract executed by the State, and every subcontract subject to Section 20-120 of the Code shall contain a certification by the contractor or the subcontractor, respectively, that the contractor or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the CPO may declare the related contract void if any certifications required by this Section are false. A contractor who makes a false statement, material to the certification, commits a Class 3 felony.

The contractor or subcontractor certifies that it is not barred from being awarded a contract under Section 50-5.

B. Felons

Section 50-10. Felons.

(a) Unless otherwise provided, no person or business convicted of a felony shall do business with the State of Illinois or any State agency, or enter into a subcontract, from the date of conviction until 5 years after the date of completion of the sentence for that felony, unless no person held responsible by a prosecutorial office for the facts upon which the conviction was based continues to have any involvement with the business.

(b) Certification. Every bid submitted to and contract executed by the State and every subcontract subject to Section 20-120 of the Code shall contain a certification by the bidder or contractor or subcontractor, respectively, that the bidder, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the CPO may declare the related contract void if any of the certifications required by this Section are false.

RETURN WITH SUBCONTRACT

C. Debt Delinquency

Section 50-11 and 50-12. Debt Delinquency.

The contractor or bidder or subcontractor, respectively, certifies that it, or any affiliate, is not barred from being awarded a contract or subcontract under the Code. Section 50-11 prohibits a person from entering into a contract with a State agency, or entering into a subcontract, if it knows or should know that it, or any affiliate, is delinquent in the payment of any debt to the State as defined by the Debt Collection Board. Section 50-12 prohibits a person from entering into a contract with a State agency, or entering into a subcontract, if it, or any affiliate, has failed to collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act. The bidder or contractor or subcontractor, respectively, further acknowledges that the CPO may declare the related contract void if this certification is false or if the bidder, contractor, or subcontractor, or any affiliate, is determined to be delinquent in the payment of any debt to the State during the term of the contract.

D. Prohibited Bidders, Contractors and Subcontractors

Section 50-10.5 and 50-60(c). Prohibited bidders, contractors and subcontractors.

The bidder or contractor or subcontractor, respectively, certifies in accordance with 30 ILCS 500/50-10.5 that no officer, director, partner or other managerial agent of the contracting business has been convicted of a felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 or if in violation of Subsection (c) for a period of five years from the date of conviction. Every bid submitted to and contract executed by the State and every subcontract subject to Section 20-120 of the Code shall contain a certification by the bidder, contractor, or subcontractor, respectively, that the bidder, contractor, or subcontractor is not barred from being awarded a contract or subcontract under this Section and acknowledges that the CPO shall declare the related contract void if any of the certifications completed pursuant to this Section are false.

E. Section 42 of the Environmental Protection Act

The bidder or contractor or subcontractor, respectively, certifies in accordance with 30 ILCS 500/50-14 that the bidder, contractor, or subcontractor, is not barred from being awarded a contract or entering into a subcontract under this Section which prohibits the bidding on or entering into contracts with the State of Illinois or a State agency, or entering into any subcontract, that is subject to the Code by a person or business found by a court or the Pollution Control Board to have committed a willful or knowing violation of Section 42 of the Environmental Protection Act for a period of five years from the date of the order. The bidder or contractor or subcontractor, respectively, acknowledges that the CPO may declare the contract void if this certification is false.

The undersigned, on behalf of the subcontracting company, has read and understands the above certifications and makes the certifications as required by law.

<hr style="width: 80%; margin: 0 auto;"/> <p style="text-align: center;">Name of Subcontracting Company</p> <hr style="width: 80%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/> <p style="text-align: center;">Date</p>
---	---

RETURN WITH SUBCONTRACT
SUBCONTRACTOR DISCLOSURES

I. DISCLOSURES

- A.** The disclosures hereinafter made by the subcontractor are each a material representation of fact upon which reliance is placed. The subcontractor further certifies that the Department has received the disclosure forms for each subcontract.

The CPO may void the bid, contract, or subcontract, respectively, if it is later determined that the bidder or subcontractor rendered a false or erroneous disclosure. A contractor or subcontractor may be scuspended or debarred for violations of the Code. Furthermore, the CPO may void the contract.

B. Financial Interests and Conflicts of Interest

1. Section 50-35 of the Code provides that all subcontracts with a total value of \$50,000 or more, from subcontractors identified in Section 20-120 of the Code, shall be accompanied by disclosure of the financial interests of the subcontractor. This disclosed information for the subcontractor, will be maintained as public information subject to release by request pursuant to the Freedom of Information Act, filed with the Procurement Policy Board, and shall be incorporated as a material term of the Prime Contractor's contract. Furthermore, pursuant to this Section, the Procurement Policy Board may recommend to allow or void a contract or subcontract based on a potential conflict of interest.

The financial interests to be disclosed shall include ownership or distributive income share that is in excess of 5%, or an amount greater than 60% of the annual salary of the Governor, of the subcontracting entity or its parent entity, whichever is less, unless the subcontractor is a publicly traded entity subject to Federal 10K reporting, in which case it may submit its 10K disclosure in place of the prescribed disclosure. If a subcontractor is a privately held entity that is exempt from Federal 10K reporting, but has more than 100 shareholders, it may submit the information that Federal 10K companies are required to report, and list the names of any individual or entity holding any ownership share that is in excess of 5%. The disclosure shall include the names, addresses, and dollar or proportionate share of ownership of each individual making the disclosure, their instrument of ownership or beneficial relationship, and notice of any potential conflict of interest resulting from the current ownership or beneficial interest of each individual making the disclosure having any of the relationships identified in Section 50-35 and on the disclosure form.

The current annual salary of the Governor is \$177,412.00.

In addition, all disclosures shall indicate any other current or pending contracts, subcontracts, proposals, leases, or other ongoing procurement relationships the subcontracting entity has with any other unit of state government and shall clearly identify the unit and the contract, subcontract, proposal, lease, or other relationship.

2. Disclosure Forms. Disclosure Form A is attached for use concerning the individuals meeting the above ownership or distributive share requirements. A separate Disclosure Form A must be submitted with the bid for each individual meeting the above requirements. In addition, a second form (Disclosure Form B) provides for the disclosure of current or pending procurement relationships with other (non-IDOT) state agencies and a total ownership certification.

C. Disclosure Form Instructions

Form A Instructions for Financial Information & Potential Conflicts of Interest

If the subcontractor is a publicly traded entity subject to Federal 10K reporting, the 10K Report may be submitted to meet the requirements of Form A. If a subcontractor is a privately held entity that is exempt from Federal 10K reporting, but has more than 100 shareholders, it may submit the information that Federal 10K companies are required to report, and list the names of any individual or entity holding any ownership share that is in excess of 5%. If a subcontractor is not subject to Federal 10K reporting, the subcontractor must determine if any individuals are required by law to complete a financial disclosure form. To do this, the subcontractor should answer each of the following questions. A "YES" answer indicates Form A must be completed. If the answer to each of the following questions is "NO", then the NOT APPLICABLE STATEMENT on the second page of Form A must be signed and dated by an individual that is authorized to execute contracts for the subcontracting company. Note: These questions are for assistance only and are not required to be completed.

1. Does anyone in your organization have a direct or beneficial ownership share of greater than 5% of the bidding entity or parent entity? YES ___ NO ___
2. Does anyone in your organization have a direct or beneficial ownership share of less than 5%, but which has a value greater than 60% of the annual salary of the Governor? YES ___ NO ___
3. Does anyone in your organization receive more than 60% of the annual salary of the Governor of the subcontracting entity's or parent entity's distributive income? YES ___ NO ___

(Note: Distributive income is, for these purposes, any type of distribution of profits. An annual salary is not distributive income.)

4. Does anyone in your organization receive greater than 5% of the subcontracting entity's or parent entity's total distributive income, but which is less than 60% of the annual salary of the Governor? YES ___ NO ___

(Note: Only one set of forms needs to be completed per individual per subcontract even if a specific individual would require a yes answer to more than one question.)

A "YES" answer to any of these questions requires the completion of Form A. The subcontractor must determine each individual in the subcontracting entity or the subcontracting entity's parent company that would cause the questions to be answered "Yes". Each form must be signed and dated by an individual that is authorized to execute contracts for your organization. The individual signing can be, but does not have to be, the individual for which the form is being completed. The subcontractor is responsible for the accuracy of any information provided.

If the answer to each of the above questions is "NO", then the NOT APPLICABLE STATEMENT on page 2 of Form A must be signed and dated by an individual that is authorized to execute contracts for your company.

RETURN WITH SUBCONTRACT

Form B: Instructions for Identifying Other Contracts & Procurement Related Information

Disclosure Form B must be completed for each subcontract submitted by the subcontracting entity. *Note: Checking the NOT APPLICABLE STATEMENT on Form A does not allow the subcontractor to ignore Form B. Form B must be completed, checked, and dated or the subcontract will not be approved.*

The Subcontractor shall identify, by checking Yes or No on Form B, whether it has any pending contracts, subcontracts, leases, bids, proposals, or other ongoing procurement relationship with any other (non-IDOT) State of Illinois agency. If "No" is checked, the subcontractor only needs to complete the check box on the bottom of Form B. If "Yes" is checked, the subcontractor must list all non-IDOT State of Illinois agency pending contracts, subcontracts, leases, bids, proposals, and other ongoing procurement relationships. These items may be listed on Form B or on an attached sheet(s). Contracts with cities, counties, villages, etc. are not considered State of Illinois agency contracts and are not to be included. Contracts or subcontracts with other State of Illinois agencies such as the Department of Natural Resources or the Capital Development Board must be included.

**ILLINOIS DEPARTMENT
OF TRANSPORTATION**

**Form A
Subcontractor: Financial
Information & Potential Conflicts
of Interest Disclosure**

Subcontractor Name		
Legal Address		
City, State, Zip		
Telephone Number	Email Address	Fax Number (if available)

Disclosure of the information contained in this Form is required by Section 50-35 of the Code (30 ILCS 500). Subcontractors desiring to enter into a subcontract of a State of Illinois contract must disclose the financial information and potential conflict of interest information as specified in this Disclosure Form. This information shall become part of the publicly available contract file. This Form A must be completed for subcontracts with a total value of \$50,000 or more, from subcontractors identified in Section 20-120 of the Code, and for all open-ended contracts. **A publicly traded company may submit a 10K disclosure (or equivalent if applicable) in satisfaction of the requirements set forth in Form A. See Disclosure Form Instructions.**

The current annual salary of the Governor is \$177,412.00.

DISCLOSURE OF FINANCIAL INFORMATION

1. Disclosure of Financial Information. The individual named below has an interest in the SUBCONTRACTOR (or its parent) in terms of ownership or distributive income share in excess of 5%, or an interest which has a value of more than 60% of the annual salary of the Governor. **(Make copies of this form as necessary and attach a separate Disclosure Form A for each individual meeting these requirements)**

FOR INDIVIDUAL (type or print information)	
NAME:	_____
ADDRESS	_____
Type of ownership/distributable income share:	
stock _____ sole proprietorship _____ Partnership _____ other: (explain on separate sheet):	
% or \$ value of ownership/distributable income share:	_____

2. Disclosure of Potential Conflicts of Interest. Check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If the answer to any question is "Yes", please attach additional pages and describe.

(a) State employment, currently or in the previous 3 years, including contractual employment of services.

Yes ___ No ___

If your answer is yes, please answer each of the following questions.

1. Are you currently an officer or employee of either the Capitol Development Board or the Illinois State Toll Highway Authority? Yes ___ No ___

2. Are you currently appointed to or employed by any agency of the State of Illinois? If you are currently appointed to or employed by any agency of the State of Illinois, and your annual salary exceeds 60% of the annual salary of the Governor, provide the name the State agency for which you are employed and your annual salary. _____

RETURN WITH SUBCONTRACT

3. If you are currently appointed to or employed by any agency of the State of Illinois, and your annual salary exceeds 60% of the annual salary of the Governor, are you entitled to receive (i) more than 7 1/2% of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess of 100% of the annual salary of the Governor?
Yes ___ No ___

4. If you are currently appointed to or employed by any agency of the State of Illinois, and your annual salary exceeds 60% of the annual salary of the Governor, are you and your spouse or minor children entitled to receive (i) more than 15 % in the aggregate of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess of two times the salary of the Governor?
Yes ___ No ___

(b) State employment of spouse, father, mother, son, or daughter, including contractual employment services in the previous 2 years.

Yes ___ No ___

If your answer is yes, please answer each of the following questions.

1. Is your spouse or any minor children currently an officer or employee of the Capitol Development Board or the Illinois State Toll Highway Authority?
Yes ___ No ___

2. Is your spouse or any minor children currently appointed to or employed by any agency of the State of Illinois? If your spouse or minor children is/are currently appointed to or employed by any agency of the State of Illinois, and his/her annual salary exceeds 60% of the annual salary of the Governor, provide the name of your spouse and/or minor children, the name of the State agency for which he/she is employed and his/her annual salary. _____

3. If your spouse or any minor children is/are currently appointed to or employed by any agency of the State of Illinois, and his/her annual salary exceeds 60% of the annual salary of the Governor, are you entitled to receive (i) more than 7 1/2% of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess of 100% of the annual salary of the Governor?
Yes ___ No ___

4. If your spouse or any minor children are currently appointed to or employed by any agency of the State of Illinois, and his/her annual salary exceeds 60% of the annual salary of the Governor, are you and your spouse or minor children entitled to receive (i) more than 15 % in the aggregate of the total distributable income of your firm, partnership, association or corporation, or (ii) an amount in excess of two times the salary of the Governor?
Yes ___ No ___

(c) Elective status; the holding of elective office of the State of Illinois, the government of the United States, any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois currently or in the previous 3 years.
Yes ___ No ___

(d) Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son, or daughter.
Yes ___ No ___

(e) Appointive office; the holding of any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of the expenses incurred in the discharge of that office currently or in the previous 3 years.
Yes ___ No ___

(f) Relationship to anyone holding appointive office currently or in the previous 2 years; spouse, father, mother, son, or daughter.
Yes ___ No ___

(g) Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government.
Yes ___ No ___

RETURN WITH SUBCONTRACT

(h) Relationship to anyone who is or was a registered lobbyist in the previous 2 years; spouse, father, mother, son, or daughter. Yes ___ No ___

(i) Compensated employment, currently or in the previous 3 years, by any registered election or reelection committee registered with the Secretary of State or any county clerk of the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections. Yes ___ No ___

(j) Relationship to anyone; spouse, father, mother, son, or daughter; who was a compensated employee in the last 2 years by any registered election or re-election committee registered with the Secretary of State or any county clerk of the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections. Yes ___ No ___

3 Communication Disclosure.

Disclose the name and address of each lobbyist and other agent of the bidder or offeror who is not identified in Section 2 of this form, who is has communicated, is communicating, or may communicate with any State officer or employee concerning the bid or offer. This disclosure is a continuing obligation and must be promptly supplemented for accuracy throughout the process and throughout the term of the contract. If no person is identified, enter "None" on the line below:

Name and address of person(s): _____

RETURN WITH SUBCONTRACT

4. Suspension or Debarment Disclosure. For each of the persons identified under Sections 2 and 3 of this form, disclose whether any of the following has occurred within the previous 10 years: suspension or debarment from contracting with any governmental entity; professional licensure discipline; bankruptcies; adverse civil judgments and administrative findings; and criminal felony convictions. This disclosure is a continuing obligation and must be promptly supplemented for accuracy throughout the procurement process and term of the contract. If no person is identified, enter "None" on the line below:

Name of person(s): _____

Nature of disclosure: _____

APPLICABLE STATEMENT

This Disclosure Form A is submitted on behalf of the INDIVIDUAL named on previous page. Under penalty of perjury, I certify the contents of this disclosure to be true and accurate to the best of my knowledge.

Completed by: _____ Date _____
Signature of Individual or Authorized Officer

NOT APPLICABLE STATEMENT

Under penalty of perjury, I have determined that no individuals associated with this organization meet the criteria that would require the completion of this Form A.

This Disclosure Form A is submitted on behalf of the SUBCONTRACTOR listed on the previous page.

_____ Date _____
Signature of Authorized Officer

RETURN WITH SUBCONTRACT

ILLINOIS DEPARTMENT OF TRANSPORTATION

Form B Subcontractor: Other Contracts & Financial Related Information Disclosure

Form with fields: Subcontractor Name, Legal Address, City, State, Zip, Telephone Number, Email Address, Fax Number (if available)

Disclosure of the information contained in this Form is required by Section 50-35 of the Code (30 ILCS 500). This information shall become part of the publicly available contract file. This Form B must be completed for subcontracts with a total value of \$50,000 or more, from subcontractors identified in Section 20-120 of the Code, and for all open-ended contracts.

DISCLOSURE OF OTHER CONTRACTS, SUBCONTRACTS, AND PROCUREMENT RELATED INFORMATION

1. Identifying Other Contracts & Procurement Related Information. The SUBCONTRACTOR shall identify whether it has any pending contracts, subcontracts, including leases, bids, proposals, or other ongoing procurement relationship with any other State of Illinois agency: Yes ___ No ___

If "No" is checked, the subcontractor only needs to complete the signature box on this page.

2. If "Yes" is checked. Identify each such relationship by showing State of Illinois agency name and other descriptive information such as bid or project number (attach additional pages as necessary). SEE DISCLOSURE FORM INSTRUCTIONS:

THE FOLLOWING STATEMENT MUST BE CHECKED

Signature box with fields: Signature of Authorized Officer, Date

OWNERSHIP CERTIFICATION

Please certify that the following statement is true if the individuals for all submitted Form A disclosures do not total 100% of ownership

Any remaining ownership interest is held by individuals receiving less than \$106,447.20 of the bidding entity's or parent entity's distributive income or holding less than a 5% ownership interest.

Yes No N/A (Form A disclosure(s) established 100% ownership)



- 1. TIME AND PLACE OF OPENING BIDS.** Sealed proposals for the improvement described herein will be received by the Department of Transportation. Electronic bids are to be submitted to the electronic bidding system (iCX-Integrated Contractors Exchange). Paper-based bids are to be submitted to the Chief Procurement Officer for the Department of Transportation in care of the Chief Contracts Official at the Harry R. Hanley Building, 2300 South Dirksen Parkway, in Springfield, Illinois until 10:00 a.m. June 10, 16. All bids will be gathered, sorted, publicly opened and read in the auditorium at the Department of Transportation's Harry R. Hanley Building shortly after 10:00 a.m.
- 2. DESCRIPTION OF WORK.** The proposed improvement is identified and advertised for bids in the Invitation for Bids as:

**Contract No. 93660
SANGAMON County
Section 07-13106-01-BR
Project BROS-0167(054)
Route TR 197 (Old Salem Lane)
District 6 Construction Funds**

This project consists of the removal of the existing structure and the construction of a 3 span PPC deck beam bridge and approach work on Old Salem Lane, located 2.3 miles West of Bradfordton Road over Little Spring Creek.

- 3. INSTRUCTIONS TO BIDDERS.** (a) This Notice, the invitation for bids, proposal and letter of award shall, together with all other documents in accordance with Article 101.09 of the Standard Specifications for Road and Bridge Construction, become part of the contract. Bidders are cautioned to read and examine carefully all documents, to make all required inspections, and to inquire or seek explanation of the same prior to submission of a bid.

(b) State law, and, if the work is to be paid wholly or in part with Federal-aid funds, Federal law requires the bidder to make various certifications as a part of the proposal and contract. By execution and submission of the proposal, the bidder makes the certification contained therein. A false or fraudulent certification shall, in addition to all other remedies provided by law, be a breach of contract and may result in termination of the contract.
- 4. AWARD CRITERIA AND REJECTION OF BIDS.** This contract will be awarded to the lowest responsive and responsible bidder considering conformity with the terms and conditions established by the Department in the rules, Invitation for Bids and contract documents. The issuance of plans and proposal forms for bidding based upon a prequalification rating shall not be the sole determinant of responsibility. The Department reserves the right to determine responsibility at the time of award, to reject any or all proposals, to readvertise the proposed improvement, and to waive technicalities.

By Order of the
Illinois Department of Transportation

Randall S. Blankenhorn,
Secretary

CONTRACT 93660

INDEX
FOR
SUPPLEMENTAL SPECIFICATIONS
AND RECURRING SPECIAL PROVISIONS

Adopted April 1, 2016

This index contains a listing of SUPPLEMENTAL SPECIFICATIONS, frequently used RECURRING SPECIAL PROVISIONS, and LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS.

No ERRATA this year.

SUPPLEMENTAL SPECIFICATIONS

Std. Spec. Sec.

Page No.

No Supplemental Specifications this year.

CHECK SHEET
FOR
RECURRING SPECIAL PROVISIONS

Adopted April 1, 2016

The following RECURRING SPECIAL PROVISIONS indicated by an "X" are applicable to this contract and are included by reference:

RECURRING SPECIAL PROVISIONS

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CHECK SHEET
FOR
LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS

The following LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS indicated by an "X" are applicable to this contract and are included by reference:

LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS

<u>CHECK SHEET #</u>	<u>PAGE NO.</u>
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INDEX LOCAL ROADS AND STREETS SPECIAL PROVISIONS

<u>LR #</u>	<u>Pg #</u>	<u>Special Provision Title</u>	<u>Effective</u>	<u>Revised</u>
LR SD12		<input type="checkbox"/> Slab Movement Detection Device	Nov. 11, 1984	Jan. 1, 2007
LR SD13		<input type="checkbox"/> Required Cold Milled Surface Texture	Nov. 1, 1987	Jan. 1, 2007
LR 107-2		<input type="checkbox"/> Railroad Protective Liability Insurance for Local Lettings	Mar. 1, 2005	Jan. 1, 2006
LR 107-4	72	<input checked="" type="checkbox"/> Insurance	Feb. 1, 2007	Aug. 1, 2007
LR 108		<input type="checkbox"/> Combination Bids	Jan. 1, 1994	Mar. 1, 2005
LR 109		<input type="checkbox"/> Equipment Rental Rates	Jan. 1, 2012	
LR 212		<input type="checkbox"/> Shaping Roadway	Aug. 1, 1969	Jan. 1, 2002
LR 355-1		<input type="checkbox"/> Bituminous Stabilized Base Course, Road Mix or Traveling Plant Mix	Oct. 1, 1973	Jan. 1, 2007
LR 355-2		<input type="checkbox"/> Bituminous Stabilized Base Course, Plant Mix	Feb. 20, 1963	Jan. 1, 2007
LR 400-1		<input type="checkbox"/> Bituminous Treated Earth Surface	Jan. 1, 2007	Apr. 1, 2012
LR 400-2		<input type="checkbox"/> Bituminous Surface Plant Mix (Class B)	Jan. 1, 2008	
LR 400-3		<input type="checkbox"/> Hot In-Place Recycling (HIR) – Surface Recycling	Jan. 1, 2012	
LR 400-4		<input type="checkbox"/> Full-Depth Reclamation (FDR) with Emulsified Asphalt	Apr. 1, 2012	Jun. 1, 2012
LR 400-5		<input type="checkbox"/> Cold In-Place Recycling (CIR) With Emulsified Asphalt	Apr. 1, 2012	Jun. 1, 2012
LR 400-6		<input type="checkbox"/> Cold In Place Recycling (CIR) with Foamed Asphalt	June 1, 2012	
LR 400-7		<input type="checkbox"/> Full-Depth Reclamation (FDR) with Foamed Asphalt	June 1, 2012	
LR 402		<input type="checkbox"/> Salt Stabilized Surface Course	Feb. 20, 1963	Jan. 1, 2007
LR 403-1		<input type="checkbox"/> Surface Profile Milling of Existing, Recycled or Reclaimed Flexible Pavement	Apr. 1, 2012	Jun. 1, 2012
LR 403-2		<input type="checkbox"/> Bituminous Hot Mix Sand Seal Coat	Aug. 1, 1969	Jan. 1, 2007
LR 406		<input type="checkbox"/> Filling HMA Core Holes with Non-shrink Grout	Jan. 1, 2008	
LR 420		<input type="checkbox"/> PCC Pavement (Special)	May 12, 1964	Jan. 2, 2007
LR 442		<input type="checkbox"/> Bituminous Patching Mixtures for Maintenance Use	Jan. 1, 2004	Jun. 1, 2007
LR 451		<input type="checkbox"/> Crack Filling Bituminous Pavement with Fiber-Asphalt	Oct. 1, 1991	Jan. 1, 2007
LR 503-1		<input type="checkbox"/> Furnishing Class SI Concrete	Oct. 1, 1973	Jan. 1, 2002
LR 503-2		<input type="checkbox"/> Furnishing Class SI Concrete (Short Load)	Jan. 1, 1989	Jan. 1, 2002
LR 542		<input type="checkbox"/> Pipe Culverts, Type _____ (Furnished)	Sep. 1, 1964	Jan. 1, 2007
LR 663		<input type="checkbox"/> Calcium Chloride Applied	Jun. 1, 1958	Jan. 1, 2007
LR 702	73	<input checked="" type="checkbox"/> Construction and Maintenance Signs	Jan. 1, 2004	Jun. 1, 2007
LR 1000-1		<input type="checkbox"/> Cold In-Place Recycling (CIR) and Full Depth Reclamation (FDR) with Emulsified Asphalt Mix Design Procedures	Apr. 1, 2012	Jun. 1, 2012
LR 1000-2		<input type="checkbox"/> Cold In-Place Recycling (CIR) and Full Depth Reclamation (FDR) with Foamed Asphalt Mix Design Procedures	June 1, 2012	
LR 1004		<input type="checkbox"/> Coarse Aggregate for Bituminous Surface Treatment	Jan. 1, 2002	Jan. 1, 2007
LR 1030		<input type="checkbox"/> Growth Curve	Mar. 1, 2008	Jan. 1, 2010
LR 1032-1		<input type="checkbox"/> Emulsified Asphalts	Jan. 1, 2007	Feb. 7, 2008
LR 1102		<input type="checkbox"/> Road Mix or Traveling Plan Mix Equipment	Jan. 1, 2007	

BDE SPECIAL PROVISIONS

The following special provisions indicated by an "x" are applicable to this contract. An * indicates a new or revised special provision for the letting.

<u>File Name</u>	<u>Pg.</u>		<u>Special Provision Title</u>	<u>Effective</u>	<u>Revised</u>
80099			Accessible Pedestrian Signals (APS)	April 1, 2003	Jan. 1, 2014
* 80274			Aggregate Subgrade Improvement	April 1, 2012	April 1, 2016
80192			Automated Flagger Assistance Device	Jan. 1, 2008	
80173			Bituminous Materials Cost Adjustments	Nov. 2, 2006	July 1, 2015
80241			Bridge Demolition Debris	July 1, 2009	
50261			Building Removal-Case I (Non-Friable and Friable Asbestos)	Sept. 1, 1990	April 1, 2010
50481			Building Removal-Case II (Non-Friable Asbestos)	Sept. 1, 1990	April 1, 2010
50491			Building Removal-Case III (Friable Asbestos)	Sept. 1, 1990	April 1, 2010
50531			Building Removal-Case IV (No Asbestos)	Sept. 1, 1990	April 1, 2010
80360			Coarse Aggregate Quality	July 1, 2015	
80198			Completion Date (via calendar days)	April 1, 2008	
80199			Completion Date (via calendar days) Plus Working Days	April 1, 2008	
80293			Concrete Box Culverts with Skews > 30 Degrees and Design Fills ≤ 5 Feet	April 1, 2012	April 1, 2015
* 80311			Concrete End Sections for Pipe Culverts	Jan. 1, 2013	April 1, 2016
* 80277			Concrete Mix Design – Department Provided	Jan. 1, 2012	April 1, 2016
80261			Construction Air Quality – Diesel Retrofit	June 1, 2010	Nov. 1, 2014
* 80029	74	X	Disadvantaged Business Enterprise Participation	Sept. 1, 2000	Jan. 2, 2016
* 80363			Engineer's Field Office	April 1, 2016	
80358	85	X	Equal Employment Opportunity	April 1, 2015	
* 80364	89	X	Errata for the 2016 Standard Specifications	April 1, 2016	
80229			Fuel Cost Adjustment	April 1, 2009	July 1, 2015
80304			Grooving for Recessed Pavement Markings	Nov. 1, 2012	Aug. 1, 2014
* 80246	93	X	Hot-Mix Asphalt – Density Testing of Longitudinal Joints	Jan. 1, 2010	April 1, 2016
* 80347			Hot-Mix Asphalt – Pay for Performance Using Percent Within Limits – Jobsite Sampling	Nov. 1, 2014	April 1, 2016
* 80336			Longitudinal Joint and Crack Patching	April 1, 2014	April 1, 2016
80045			Material Transfer Device	June 15, 1999	Aug. 1, 2014
* 80342			Mechanical Side Tie Bar Inserter	Aug. 1, 2014	April 1, 2016
80165			Moisture Cured Urethane Paint System	Nov. 1, 2006	Jan. 1, 2010
* 80361			Overhead Sign Structures Certification of Metal Fabricator	Nov. 1, 2015	April 1, 2016
* 80349			Pavement Marking Blackout Tape	Nov. 1, 2014	April 1, 2016
* 80298			Pavement Marking Tape Type IV	April 1, 2012	April 1, 2016
* 80365			Pedestrian Push-Button	April 1, 2016	
* 80359			Portland Cement Concrete Bridge Deck Curing	April 1, 2015	April 1, 2016
* 80353			Portland Cement Concrete Inlay or Overlay	Jan. 1, 2015	April 1, 2016
* 80338			Portland Cement Concrete Partial Depth Hot-Mix Asphalt Patching	April 1, 2014	April 1, 2016
* 80300			Preformed Plastic Pavement Marking Type D - Inlaid	April 1, 2012	April 1, 2016
80328	94	X	Progress Payments	Nov. 2, 2013	
34261			Railroad Protective Liability Insurance	Dec. 1, 1986	Jan. 1, 2006
80157			Railroad Protective Liability Insurance (5 and 10)	Jan. 1, 2006	
* 80306	95	X	Reclaimed Asphalt Pavement (RAP) and Reclaimed Asphalt Shingles (RAS)	Nov. 1, 2012	April 1, 2016
* 80340			Speed Display Trailer	April 2, 2014	April 1, 2016
80127			Steel Cost Adjustment	April 2, 2004	July 1, 2015
80362			Steel Slag in Trench Backfill	Jan. 1, 2016	
* 80317			Surface Testing of Hot-Mix Asphalt Overlays	Jan. 1, 2013	April 1, 2016

<u>File Name</u>		<u>Special Provision Title</u>	<u>Effective</u>	<u>Revised</u>
80355		Temporary Concrete Barrier	Jan. 1, 2015	July 1, 2015
20338		Training Special Provisions	Oct. 15, 1975	
80318		Traversable Pipe Grate	Jan. 1, 2013	April 1, 2014
* 80288	105	X Warm Mix Asphalt	Jan. 1, 2012	April 1, 2016
80302	107	X Weekly DBE Trucking Reports	June 2, 2012	April 2, 2015
80289		Wet Reflective Thermoplastic Pavement Marking	Jan. 1, 2012	
80071	108	X Working Days	Jan. 1, 2002	

The following special provisions and recurring special provisions are in the 2016 Standard Specifications.

<u>File Name</u>	<u>Special Provision Title</u>	<u>New Location</u>	<u>Effective</u>	<u>Revised</u>
80240	Above Grade Inlet Protection	Articles 280.02, 280.04, and 1081.15	July 1, 2009	Jan. 1, 2012
80310	Coated Galvanized Steel Conduit	Articles 811.03	Jan. 1, 2013	Jan. 1, 2015
80341	Coated Nonmetallic Conduit	Article 1088.01	Aug. 1, 2014	Jan. 1, 2015
80294	Concrete Box Culverts with Skews \leq 30 Degrees Regardless of Design Fill and Skews > 30 Degrees With Design Fills > 5 Feet	Article 540.04	April 1, 2012	April 1, 2014
80334	Concrete Gutter, Curb, Median, and Paved Ditch	Articles 606.02, 606.07, and 1050.04	April, 2014	Aug. 1, 2014
80335	Contract Claims	Article 109.09	April 1, 2014	
Chk Sht #27	English Substitution of Metric Reinforcement Bars	Article 508.09	April 1, 1996	Jan. 1, 2011
80265	Friction Aggregate	Articles 1004.01 and 1004.03	Jan. 1, 2011	Nov. 1, 2014
80329	Glare Screen	Sections 638 and 1085	Jan. 1, 2014	
Chk Sht #20	Guardrail and Barrier Wall Delineation	Sections 635, 725, 782, and 1097	Dec. 15, 1993	Jan. 1, 2012
80322	Hot-Mix Asphalt – Mixture Design Composition and Volumetric Requirements	Sections 312, 355, 406, 407, 442, 482, 601, 1003, 1004, 1030, and 1102	Nov. 1, 2013	Nov. 1, 2014
80323	Hot-Mix Asphalt – Mixture Design Verification and Production	Sections 406, 1030, and 1102	Nov. 1, 2013	Nov. 1, 2014
80348	Hot-Mix Asphalt – Prime Coat	Sections 403, 406, 407, 408, 1032, and 1102	Nov. 1, 2014	
80315	Insertion Lining of Culverts	Sections 543 and 1029	Jan. 1, 2013	Nov. 1, 2013
80351	Light Tower	Article 1069.08	Jan. 1, 2015	
80324	LRFD Pipe Culvert Burial Tables	Sections 542 and 1040	Nov. 1, 2013	April 1, 2015
80325	LRFD Storm Sewer Burial Tables	Sections 550 and 1040	Nov. 1, 2013	April 1, 2015
80337	Paved Shoulder Removal	Article 440.07	April 1, 2014	
80254	Pavement Patching	Article 701.17	Jan. 1, 2010	
80352	Pavement Striping – Symbols	Article 780.14	Jan. 1, 2015	
Chk Sht #19	Pipe Underdrains	Section 601 and Articles 1003.01, 1003.04, 1004.05, 1040.06, and 1080.05	Sept. 9, 1987	Jan. 1, 2007
80343	Precast Concrete Handhole	Articles 814.02, 814.03, and 1042.17	Aug. 1, 2014	
80350	Retroreflective Sheeting for Highway Signs	Article 1091.03	Nov. 1, 2014	
80327	Reinforcement Bars	Section 508 and Articles 421.04, 442.06, 1006.10	Nov. 1, 2013	
80344	Rigid Metal Conduit	Article 1088.01	Aug. 1, 2014	
80354	Sidewalk, Corner, or Crosswalk Closure	Article 1106.02	Jan. 1, 2015	April 1, 2015
80301	Tracking the Use of Pesticides	Article 107.23	Aug. 1, 2012	
80356	Traffic Barrier Terminals Type 6 or 6B	Article 631.02	Jan. 1, 2015	
80345	Underpass Luminaire	Articles 821.06 and 1067.04	Aug. 1, 2014	April 1, 2015

<u>File Name</u>	<u>Special Provision Title</u>	<u>New Location</u>	<u>Effective</u>	<u>Revised</u>
80354	Urban Half Road Closure with Mountable Median	Articles 701.18, 701.19, and 701.20	Jan. 1, 2015	July 1, 2015
80346	Waterway Obstruction Warning Luminaire	Article 1067.07	Aug. 1, 2014	April 1, 2015

The following special provisions require additional information from the designer. The additional information needs to be included in a separate document attached to this check sheet. The Project Development and Implementation section will then include the information in the applicable special provision. The Special Provisions are:

- Bridge Demolition Debris
- Building Removal-Case I
- Building Removal-Case II
- Building Removal-Case III
- Building Removal-Case IV
- Completion Date
- Completion Date Plus Working Days
- DBE Participation
- Material Transfer Device
- Railroad Protective Liability Insurance
- Training Special Provisions
- Working Days

SPECIAL PROVISIONS

The following Special Provisions supplement the "Standard Specifications for Road and Bridge Construction," adopted April 1, 2016, the latest edition of the "Illinois Manual on Uniform Traffic Control Devices for Streets and Highways", and the "Manual of Test Procedures for Materials" in effect on the date of invitation for bids, and the "Supplemental Specifications and Recurring Special Provisions", as indicated on the Check Sheet included herein which apply to and govern the construction of Township Road 197, Project BROS-0167(054), Section 07-13106-01-BR in Sangamon County, and in case of conflict with any part or parts of said Specifications, these said Special Provisions shall take precedence and shall govern.

Description of Work. This section consists of the construction of a precast prestressed deck beam bridge, channel modification and reconstruction of the approach road on new vertical alignment, together with all earthwork, drainage structures and all other incidental work required to complete the section.

Salvable Materials. All materials deemed salvable by the Engineer shall remain the property of the County and shall be stored on the job site as directed by the Engineer. Salvageable items shall include Name Plates and other items to be determined by the Engineer during construction.

Precautions for Utilities. The Contractor shall take whatever precautions which may be necessary to protect the property of the various public utilities which may be located underground or above ground, at or adjacent to the site of this improvement. He will be required to repair or replace at his own expense, or bear the cost, to repair or replace, any public utility property which has been damaged through his negligence. The procedure and specifications of repair will be in accordance with the regulations and/or policy of the utility.

Removal of Unclassified Material. Existing culverts and other unclassified materials shall be removed at locations shown on the plans or designated by the Engineer. The material removed as required in this special provision shall be disposed of outside the limits of the right of way in accordance with Article 202.03 of the Standard Specifications and as directed by the Engineer.

This work will not be paid for separately, but shall be considered incidental to the item EARTH EXCAVATION and no additional compensation will be allowed.

Township Roads used by the Contractor during Construction of the Project. The Contractor shall present a network of Township Roads that will be used during construction of said project by the Contractor or by a Subcontractor to the Engineer at the time of the Pre-Construction Meeting. The Engineer and Contractor shall both examine the Township Roads to be used during construction, noting any area(s) of concern before construction starts.

Upon completion of said project, the Engineer shall examine the Township Roads before final payment is processed. Any areas that have been damaged due to construction activity shall be repaired by the Contractor, at his/her expense, to the satisfaction of the Engineer, before final payment is made.

Shop Plan Review. The contractor shall submit precast prestressed beam fabrication plans to Coombe-Bloxdorf, P.C., 755 South Grand Avenue West, Springfield, Illinois 62704, for review and approval.

Preservation of Trees and Shrubs. The Contractor shall exercise care when working near existing trees and shrubs to avoid damaging those not scheduled for removal and shall either repair or replace any such damaged plants at his own expense. No trees or shrubs shall be removed without the Engineer's approval, regardless of whether or not they are designated on the plans to be removed.

Corrugated Steel Pipe. Corrugated steel culvert pipe shall conform to the requirements of Article 1006.01 of the Standard Specifications except that riveted seams shall be used.

Stone Riprap, Class A4 (Special). This work shall consist of furnishing, transporting and placing a protective course of stone laid as riprap at locations as shown on the plans and as directed by the Engineer. The riprap shall be a minimum of 18 inches thick. This work shall be performed in accordance with Section 281 of the Standard Specifications and as follows:

Quality: The material used for riprap shall be stone conforming to Quality Designation A of Article 1005.01(b) of the Standard Specifications.

Gradation: The material used for riprap shall conform to Gradation Number RR4 of Article 1005.01(c) of the Standard Specifications.

Construction Method: Foundation preparation and placing shall be done in accordance with Articles 281.03 and 281.04 of the Standard Specifications. Bedding will not be required. Filter fabric will be required.

Method of Measurement: Riprap, Special shall be measured for payment in tons in accordance with Article 311.08(b) of the Standard Specifications.

Basis of Payment: This work will be paid for at the contract unit price per ton measured as specified herein for RIPRAP, SPECIAL which price shall include all materials including excavation, filter fabric and labor necessary to complete the work. Article 282.09 of the Standard Specifications is hereby revised that filter fabric is not to be paid for separately, but included in the price for STONE RIPRAP, CLASS A4 (SPECIAL) as noted above.

Any delay or inconvenience caused the Contractor in complying with this Special Provision will be considered incidental to the contract unit price for Riprap, Special and no additional compensation will be allowed.

SEEDING, CLASS 2 (SPECIAL)

This work shall be done according to Section 250 and 251 of the Standard Specifications and the following provisions:

Add the following to Article 250.03

- (i) Tiller Rake1101.08 (i)

Add the following to Article 1101.08

- (i) Tiller Rake. The tiller rake attachment shall consist of a spring shank cultivator to which rear cross bars are attached. This attachment shall be designed to break up clods and lumps, deposit them in hollows and depressions and then permit the rear fine tooth crossbar to gradually distribute the finer soil into a smooth distribution of material. The tiller rake attachment shall have a cutting swath of not less than 7 feet, and the cultivator attached shall not have less than 12 tines equipped with 10 cultivating shovels. An adjustable hand and pitch control wheel shall be provided for tiller rake depth adjustment. This unit shall be designed for mounting on the three-point, hydraulically-operated tractor drawbar.

Revise the third paragraph of Article 250.04 to read as follows:

"The fertilizer nutrients shall be applied at a rate of 420 pounds of actual nutrients per acre."

Revise the first sentence of the first paragraph of Article 1081.08 to read as follows:

"The fertilizer furnished shall be a ready mix material having a ratio of (1-4-2)."

Revise the sixth sentence of the first paragraph of Article 250.06 to read as follows:

"When seed or fertilizer is applied with a hydraulic seeder the rate of application shall be not less than 500 gallons of slurry per acre."

Seeded areas shall be mulched in accordance with Article 251.03. The Contractor may use either Procedure 1 or Procedure 2 of Method 2. Mulch shall be applied at a rate of 2 tons per acre.

Revise Articles 250.10 and 251.07 so that the following applies:

Basis of Payment. This work shall be paid for at the contract unit price per acre for SEEDING, CLASS 2 (SPECIAL). The items of Mulch and Fertilizer Nutrients will not be paid for separately but shall be included in the contract unit price per acre for SEEDING, CLASS 2 (SPECIAL).

SEEDING (SPECIAL)

This work shall be done according to the Natural Resources Conservation Service (NRCS) Conservation Practice Standard - CRITICAL AREA PLANTING Code 342 and applicable portions of Section 250 and 251 of the Standard Specifications and the following provisions:

Seeding to be performed in the downstream floodplain, in the proposed channel above normal high water elevation and on top of channel block as shown on the plans shall apply to this special provision. The seeding to be used in these areas shall be similar to the surrounding grasses and correspond to Table 4-Seed Mixtures as prescribed for Site Groups 1, 2 and 5 in Table 3 of the Conservation Practice Standard – Critical Area Planting Code 342.

Excelsior Blanket shall be installed in all areas as shown on the plans and as directed by the Engineer according to Article 1080.10 of the IDOT Standard Specifications. Excelsior Blanket with coconut fiber shall be used on the channel slopes above normal high water elevation and on the top of the channel block. Excelsior Blanket with straw fiber shall be used in the downstream floodplain. Use Table 5 of the Conservation Practice Standard – Critical Area Planting Code 342 to choose fertilizer, companion crop and mulch requirements based on Site Groups 1, 2 and 5 in Table 3 of this Conservation Practice Standard.

Basis of Payment. This work shall be paid for at the contract unit price per acre for SEEDING, (SPECIAL). The items of Mulch and Fertilizer Nutrients will not be paid for separately but shall be included in the contract unit price per acre for SEEDING (SPECIAL).

TRAFFIC CONTROL PLAN

Description. Traffic control shall be in accordance with the applicable sections of the Standard Specifications for Road and Bridge Construction, the applicable guidelines contained in the Illinois Manual on Uniform Traffic Control Devices for Streets and Highways, these special provisions, and any special details and Highway Standards contained herein and in the plans.

Special attention is called to Article 107.09 and Section 701 of the "Standard Specifications for Road and Bridge Construction" and the following Highway Standards and Special Provisions relating to traffic control:

Standards: Standard 701901, BLR 21

Type III barricades, to be erected by the Contractor, shall extend from shoulder break to shoulder break, Standard 701901, at each end of the construction limits or as directed by the Engineer at each end of the closed area. Two flashing lights shall be provided above each set of barricades at the road closure. The Type A flashing lights shall also be provided on both advance warning signs.

The Contractor shall be responsible for preventing public use of any temporary low water crossing he/she may construct.

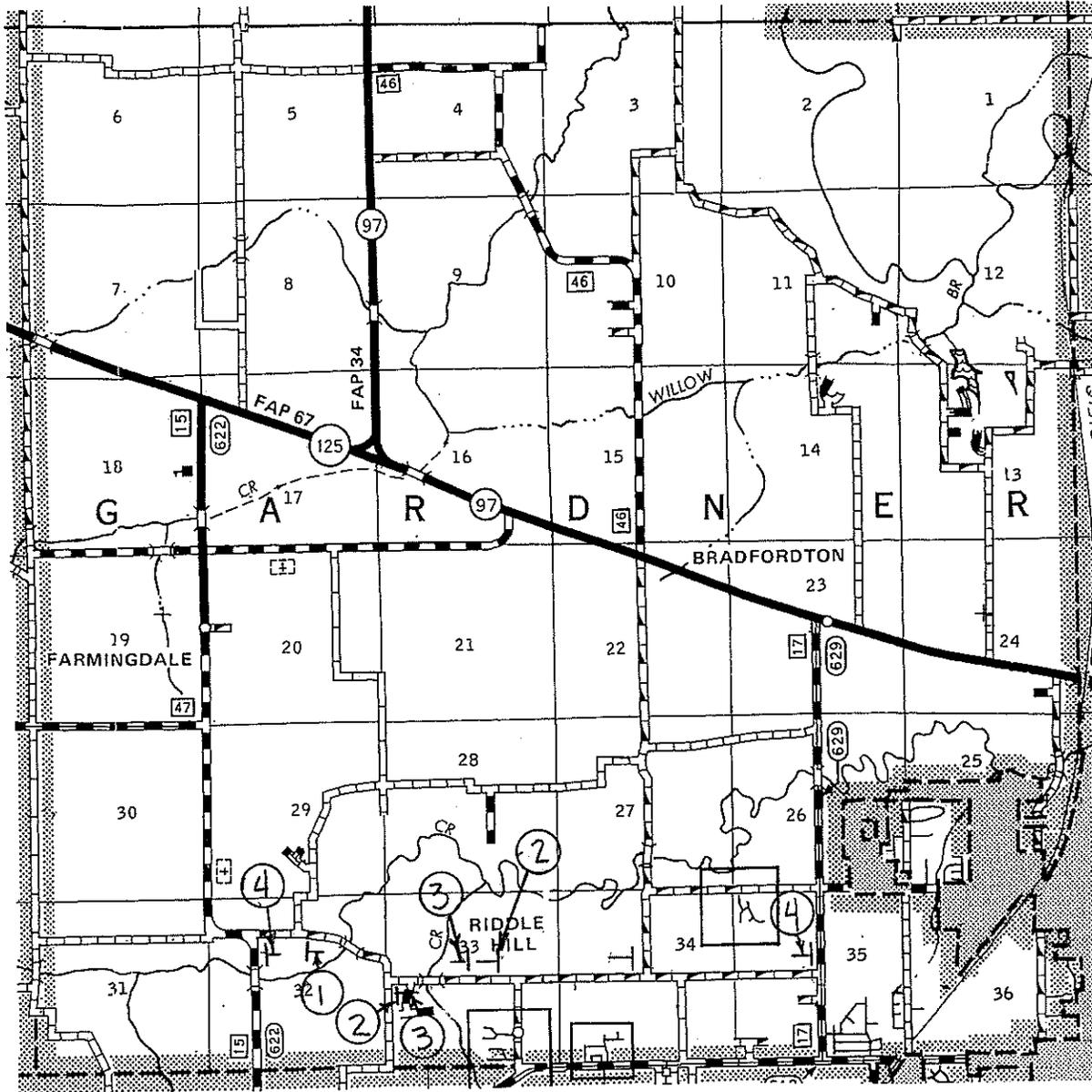
Sign posts shall be 100 x 100 mm (4x4 inches) wood posts according to Article 1007.05. The use of metal posts will not be permitted."

The Contractor shall be responsible for the condition and the placement of the traffic control devices at all times during construction activities and throughout shutdown periods.

All advance warning signs shall be new or in like new condition at the start of the project.

The road shall be closed to all traffic. Local residents shall be allowed access in accordance with the provisions of Article 107.09 and Section 701 of the Standard Specifications. Traffic control and protection required under Standards 701901 and BLR 21 and the following sketch indicate the traffic control and protection to be furnished, erected and maintained by the Contractor and will be paid for at the contract lump sum for TRAFFIC CONTROL AND PROTECTION, STANDARD BLR 21.

R. 6 W. 3RD. P.M.

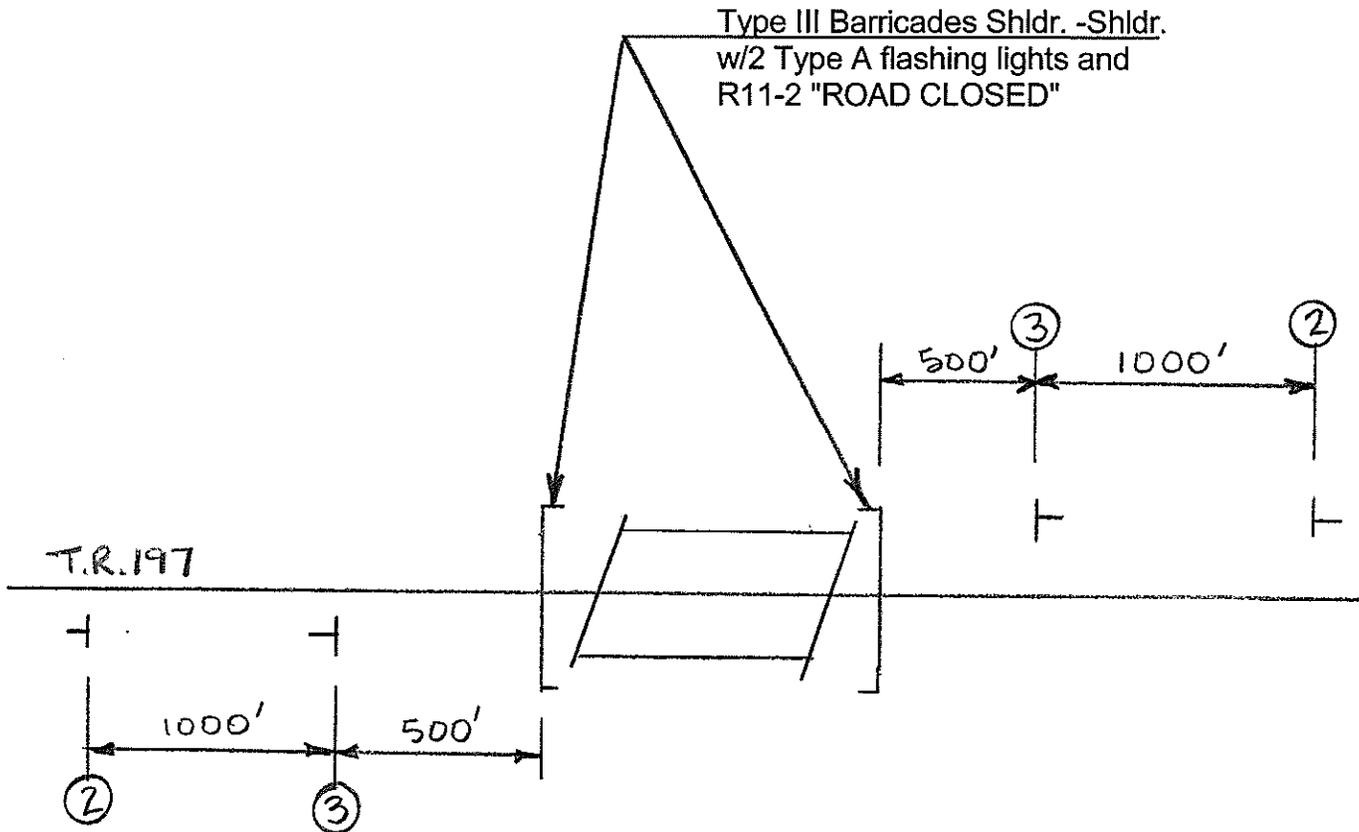


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TRAFFIC CONTROL PLAN

SYMBOLS

- ① R11-3 6030 "ROAD CLOSED 1 MILE AHEAD LOCAL TRAFFIC ONLY"
- ② W20-3(0)48 "ROAD CLOSED AHEAD"
w/ Type A flashing light
- ③ W20-3(0)48 "ROAD CLOSED 500 FEET"
w/ Type A flashing light
- ④ R11-3 6030 "ROAD CLOSED 1 ¼ MILE AHEAD LOCAL TRAFFIC ONLY"



STATUS OF UTILITIES TO BE ADJUSTED

<u>Name and Address of Utility</u>	<u>Type</u>	<u>Location</u>	<u>Estimated Date Relocation Completed</u>
Ameren Illinois 825 North MacArthur Springfield, Illinois 62702	Overhead Cable	Rt. Sta. 9+00 to Rt. Sta. 12+50	During Construction
AT&T 1640 East Hazel Dell Springfield, Illinois 62703	Buried Cable	Rt. Sta. 9+00 to Rt. Sta. 12+50	During Construction
Curran-Gardner Water District 3382 Hazlett Road Springfield, Illinois 62707	Buried Water Main	Rt. Sta. 9+00 to Rt. Sta. 12+50	During Construction

The above represents the best information of the Department and is only included for the convenience of the bidder. The applicable provision of Articles 105.07, 107.20 and 107.31 of the Standard Specifications for Road and Bridge Construction shall apply.

If any utility adjustment or removal has not been completed when required by the Contractor's operations, the Contractor should notify the Engineer in writing. A request for an extension of time will be considered to the extent the Contractor's operations were affected.

REMOVAL OF EXISTING STRUCTURES. The existing structure shall be removed by the Contractor in accordance with Section 501 of the Standard Specifications.

Removal of Existing Structures: Sta. 10+00, Existing Structure located 3.5 miles west of Springfield, Illinois on T.R. 197. The structure is a single span I beam bridge with concrete deck and curb on open concrete abutments and wings. 89.75' bk.-bk. abutments, 24.0' fc.-fc. curb, 45° Lt. Fwd. Skew.

EXISTING NAME PLATES. The existing name plates located at the north east corner and the southwest corner of the structure shall be salvaged by the Contractor and remain the property of the County and stored as directed by the Engineer.

TREES TO BE PLANTED (SPECIAL) This work shall consist of site preparation, transporting and planting a successful stand of native trees at locations as shown on the plans and as directed by the Engineer. The site shall be prepared according to applicable portions of the Natural Resources Conservation Service (NRCS) Conservation Practice Standard - TREE/SHRUB SITE PREPARATION Code 490. The tree planting shall be performed according to applicable portions of the Natural Resources Conservation Service (NRCS) Conservation Practice Standard – TREE/SHRUB ESTABLISHMENT Code 612 and applicable portions of Section 253 of the Standard Specifications and as follows:

Once the site to be planted is vacated of construction equipment and cleared of all existing trees to be removed, the Contractor shall restore the floodplain grades to the existing condition prior to stream channel construction as directed by the Engineer. The site shall be planted with Redtop and Timothy grasses at a rate of 1 pound per acre for each species. It is recommended that these grasses be planted as instructed by the Engineer for ideal growth success for this floodplain ecology to establish a vegetative ground cover. This seeding applies only to the floodplain site upstream of the bridge structure.

Trees to be planted shall be 1 gallon container Root Prune Method (RPM) in a 20 foot by 20 foot grid spacing from the following list as directed by the Engineer:

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>
Juglans nigra	Black Walnut
Carya illinoensis	Pecan
Quercus bicolor	Swamp White Oak
Catalpa speciosa	Northern or Western Catalpa
Populus deltoides	Eastern Cottonwood
Plantanus occidentalis	American Sycamore
Acer negundo	Box Elder

It is recommended that planting period be as instructed by the Engineer to preserve maximum growth success.

Basis of Payment: This work will be paid for at the contract unit price per acre measured as specified herein for TREES TO BE PLANTED (SPECIAL) which price shall include all materials including excavation and labor necessary to complete the work.

TEMPORARY WORKING PLATFORM

Description. If the Contractor elects to construct a temporary earth working platform in the channel, he shall comply with the February 12, 2012 Federal Register regarding the regulatory program of the Corps of Engineers. No Section 404 permit will be required if the Contractor's temporary construction consists of less than an area of 1/2 acre below the plane of ordinary highwater. Also, no more than a total of 100 lineal feet of fill for the roadway can occur in special aquatic sites, including wetlands. If the Contractor intends to exceed the 1/2 acre area or any other criteria of the above-mentioned register, it shall be the responsibility of the Contractor to apply for and receive a Section 404 permit.

CORPS OF ENGINEERS' REGIONAL PERMIT 38

Description. The work under this contract is authorized under a nationwide permit. The Contractor shall comply with all of the following special conditions and management practices.

Stream Channel Excavation. This work shall be done as shown on the plans and according to the Department of the Army Corps of Engineers Regional Permit 38 guidelines.

Basis of Payment: This work will be paid for at the contract unit price per cubic yard measured as specified herein for CHANNEL EXCAVATION which price shall include all materials including excavation and labor necessary to complete the work.

Channel Block. This work shall consist of excavation of a cutoff trench and channel bottom material necessary to place impervious clay material in the existing channel as shown on the plans and as directed by the Engineer to block the existing channel and maintain the integrity of the proposed channel alignment. Additional specifications are to be adhered to as follows:

Suitable excavated clay material from the proposed channel may be used for the channel block structure. Soil to be used in the channel block shall be approved by the Engineer.

The cutoff trench must be excavated to a depth that will minimize all possible seepage. Moisture content in the channel and in the clay soil to be placed must be at optimum levels as this will provide quality compaction with each layer properly bonding to provide one homogenous unit. This may require dewatering prior to the backfilling procedure. Lifts will be compacted in 3"-6" lifts throughout the length of the trench and the entire footprint of the structure.

Basis of Payment: This work will be paid for at the contract unit price per cubic yard measured as specified herein for FURNISHED EXCAVATION which price shall include all materials including excavation and labor necessary to complete the work.

STREAM MITIGATION PLAN

Sangamon County
Section 07-13106-01-BR
Old Salem Lane / T.R. 197
Project BROS-0167 (054)
Existing Structure No. 084-3116

This project will replace the existing bridge over Archer Creek approximately 1.0 mile west of Springfield. A channel modification is proposed and the proposed structure will be located 49 feet east of the existing location. The relocation of the bridge caused a morphologic disturbance to the stream corridor.

Objectives: Archer Creek is the resource to be impacted as part of the bridge replacement construction to ensure vehicle traffic safety and longevity of the bridge substructure and its function. Archer Creek is a perennial Type 2 stream. Mitigation compensation will be in the form of enhancement and preservation to the existing and proposed channel locations. The mitigation will improve aquatic resource function by planting native floodplain canopy that will shade the proposed channel and planting native species of vegetative structure on channel banks and riparian buffers which will improve long term soil/channel stability and ecological functions.

Site Selection: Mitigation will be done on site coincident with the resource to be impacted.

Site Protection Instrument: Sangamon County Highway Department will provide long term maintenance and a long term protection instrument such as a conservation easement unless the county purchases the property out right from the private landowner. The document/instrument will be filed at the Sangamon County Recorder's office.

Baseline Information: Archer Creek is considered a Category 2 creek. Archer Creek is considered a permanently flooded, unconsolidated bottom, lower perennial, riverine as coded by NWI with no threatened or endangered species as authorized by the investigation. The sites investigated were classified as mesic floodplain forest (Site #1), deepwater aquatic habitat (Site #2) and floodplain forest (Site #3). A wetland delineation investigation was performed September 2011 by University of Illinois Prairie Research Institute. See Wetland Delineation Report for additional information.

A wetland determination identified a 0.004 acre (100' long x 2') wetland near the construction site as shown on the plans. See Channel Modification Plan. There is no tree removal or fill to be placed in Site 3. Site 3 will be flagged and silt fenced prior to construction to designate as a no impact area.

Mitigation Work Plan: The channel modification construction will shorten a segment of the stream corridor from approximately 500 feet to 420 feet. However, approximately 190 feet of existing abandoned upstream channel will remain in place to lessen potential losses and preserve resource functions. The shortened proposed segment will retain some sinuosity and the downstream convergence with the existing channel alignment will be armored with riprap and sized based on the outlet velocities to protect the existing channel. The riprap will be placed so that it will be anchored into the channel below the existing flowline but also have an 18" thickness that will set the top elevation of the riprap at least 6 inches above the existing flowline to serve as an energy dissipater and grade control in this transition. A filter fabric will be installed prior to placement of riprap material. This work will be done according to NRCS Conservation Practice Standard CHANNEL BED STABILIZATION Code 584 specifications and IDOT Standard Specifications. The channel shortening increases the slope from 0.0002 ft./ft. to 0.000238 ft./ft. which is minimal in impact. (See stream profile sheet.) The vacated channel will be blocked on the upstream end with an impervious central cored earth structure and a possible cutoff trench depending on existing soil conditions. Banks of the block structure will be stabilized on both the upstream and downstream ends with riprap. A 15" diameter corrugated metal pipe culvert will be placed through the roadway embankment at the existing channel location to keep the existing channel open to help absorb the effects of over bank flow during flood events and to maintain certain aquatic resource functions. The newly shaped banks will be constructed at a 2.5:1 slope and transition to the appropriate width at the bridge as shown on the plans. The proposed bridge structure will have riprap placed through the opening with an RR4 gradation designation. This work will be done according to IDOT Standard Specifications.

Tree removal will be required to allow for the proposed channel alignment as directed by the Engineer. There is a mature black walnut (*Juglans nigra*) in Site 1 near point 1B of the wetland determination report. All means will be taken to preserve this tree unless it conflicts with the proposed channel alignment. Trees to be removed will be replaced with potted RPM bottomland hardwood species once the channel grading, control structures and riprap construction are in place to establish proper canopy along the proposed channel alignment and buffer areas. This work will be done according to NRCS Conservation Practice Standard TREE/SHRUB ESTABLISHMENT Code 612.

The proposed channel banks shall be seeded with native grasses as soon as bank construction is complete. Excelsior Blanket with seed and fertilizer included shall be used with coconut fiber to establish accelerated seed growth on banks. Riparian buffer areas, the stream block and all disturbed areas will be seeded with native grasses as soon as construction is complete. Riparian Buffer strips adjacent to the stream corridor shall be a minimum 50 feet in width measured perpendicular from the top of bank to the east and to the top of bank of the abandoned channel to the west. Excelsior Blanket shall be used with straw fiber to establish native growth in these areas as shown of the plans. This work will be done according to NRCS Conservation Practice Standard CRITICAL AREA PLANTING Code 342 specifications.

Any spoil material must not be returned to the waterway areas but must be deposited in a self-contained area in compliance with all state statutes.

There will be an erosion control fence to be installed at the limits of the of the construction easement as per NPDES permit requirements for the Storm Water Pollution Prevention Plan.

All construction performed in floodplain areas will be constructed in times of low flow and dry conditions. All construction equipment will be removed from said areas after the activities are completed each day. Any disturbed areas in the floodplain platform will be returned to their original grade and condition once final construction activities are complete excluding the enhancement made by mitigation of native grasses and native floodplain forest species. Best Management Practices will be employed to make the least amount of disturbance and impacts to the site as shown on the plans.

Maintenance Plan: Sangamon County Highway Department will have weekly site visits to monitor early stages of vegetative growth and function of structure for a period of 2 months. Site maintenance will be performed as part of the monitoring stage to make sure excelsior blanket anchorage is secure, trees and vegetation are protected and stream channel is stable and keeps its integrity.

Performance Standards: The purpose of the mitigation plan as described above is to enhance and preserve the aquatic resources in the existing and proposed channels of the stream corridor and to adhere to the guidelines of Section 404 of the Clean Water Act. Best Management Practices will be utilized to ensure that expected stages of the stream resource development process is adhering to the intent of the mitigation plan and the stream resources are equal to or exceeding that of the reference stream resources in its final stages of development.

Monitoring Requirements: Monitoring investigations and reports will be performed by the Sangamon County Highway department. The investigations will be conducted on a quarterly basis every year and following every heavy rain event of 2½ inches or more for a period of 5 years. Vegetation, tree growth and channel stability shall be reviewed to evaluate that all mitigation is meeting the performance standards set by said mitigation and Corps of Engineer permit authorization standards. Erosion control measures shall be monitored, maintained and left in place until vegetation can resist existing erosion runoff conditions.

Long Term Management Plan: Sangamon County Highway Department will be managing this site after performance standards have been achieved to the maximum extent practicable. Sangamon County Highway Department will ensure long term sustainability of the resource including easement instrument enforcement.

Adaptive Management Plan: If the site conditions change at any time for any reason, necessary agencies shall implement measures to address foreseeable or unknown circumstances that might adversely affect compensatory mitigation success. Changes will be reflected in a revised compensatory mitigation plan.

Financial Assurances: Commitment of financial assurances will be provided with a signed letter from the Sangamon County Engineer assuring the mitigation/preservation area will be maintained.

**NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION PRACTICE STANDARD**

CRITICAL AREA PLANTING

(Ac.)

CODE 342

DEFINITION

The establishment of permanent vegetation on sites that have or are expected to have high erosion rates, and on sites that have physical, chemical or biological conditions that prevent the establishment of vegetation with normal practices.

PURPOSE

The practice supports one or more of the following purposes:

- Stabilize stream and channel banks, pond and other shorelines – Resource concern (SOIL EROSION– Excessive bank erosion from streams shorelines or water conveyance channels).
- Stabilize areas with existing or expected high rates of soil erosion by wind or water – Resource concern (SOIL EROSION – Concentrated flow erosion and/or SOIL EROSION - Sheet, rill, & wind erosion and/or SOIL QUALITY DEGRADATION – Concentration of salts or other chemicals).
- Stabilize areas, such as sand dunes and riparian areas – Resource concern (SOIL EROSION – Concentrated flow erosion and/or SOIL EROSION - Sheet, rill, & wind erosion).

CONDITIONS WHERE PRACTICE APPLIES

The practice applies to highly disturbed areas such as:

- active or abandoned mined lands;
- urban restoration sites;
- construction areas;

- conservation practice construction sites;
- areas needing stabilization before or after natural disasters such as floods, hurricanes, tornados and wildfires;
- eroded banks of natural channels, banks of newly constructed channels, and lake shorelines;
- other areas degraded by human activities or natural events.

Refer to Salinity and Sodic Soil Management (Practice Code 610) for treatment of sites affected by salts and/or sodium.

CRITERIA

General Criteria Applicable To All Purposes

A site investigation shall be conducted to identify any physical, chemical or biological conditions that could affect the successful establishment of vegetation. Typical critical area site assessments will include evaluations of:

- soil characteristics
- aspect
- slope
- sunlight exposure or degree of shade
- proximity to natural plant communities
- site history
- soil fertility and pH
- previous herbicide applications

Species selected for seeding or planting shall be suited to current site conditions and intended uses. Common critical area conditions are presented in Table 3, Site Groupings.

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No plants on the State of Illinois noxious weed list shall be planted.

Sod placement shall be limited to areas that can naturally supply needed moisture or sites that can be irrigated during the establishment period.

Selected species will have the capacity to achieve adequate density and vigor within an appropriate period to stabilize the site sufficiently to permit suited uses with ordinary management activities.

Species, rates of seeding or planting, minimum quality of planting stock, such as pure live seed (PLS) or stem caliper, method of seedbed preparation, and method of establishment shall be specified before application. Only viable, high quality seed or planting stock will be used.

Seeding or planting shall be done at a time and in a manner that best ensures establishment and growth of the selected species. Refer to Table 1 for seeding periods. The seeding dates may be extended on a site-specific basis by two weeks based on current and forecasted weather. What constitutes successful establishment, e.g. minimum percent ground/canopy cover, percent survival, stand density, etc. shall be specified before application.

Plantings shall be protected from pests (e.g. weeds, insects, diseases, livestock, and wildlife) as necessary to ensure stand establishment. Pest control measures shall conform to the recommendations provided by the University of Illinois and adhere to pesticide label instructions.

The amount of plant biomass and cover needed to reduce wind and water erosion to the planned soil loss objective shall be determined using the current approved wind and/or water erosion prediction technology.

The adequacy of established stands can be determined by following the guidelines found in "Guidelines for Herbaceous Stand Evaluations" Agronomy Technical Note No. IL-2.

Additional Criteria for Vegetating Natural or Constructed Waterways

To stabilize ephemeral and gully erosion in areas of concentrated water flow, shape and construct according to the Grassed Waterway practice standard and specifications (Practice Code 412). To stabilize banks of streams or constructed channels, the area to be planted must be protected in accordance with the criteria of Conservation Practice Standard 580 – Streambank and Shoreline Protection.

Additional Criteria to Restore Degraded Sites

Gullies and/or deep rills, if present, will be filled and the soil surface will be shaped to ensure proper site and seedbed preparation and, if feasible, to allow for future farm equipment operation.

Soil amendments will be added as necessary to ameliorate or eliminate physical or chemical conditions that inhibit plant establishment and growth. Fertilizer requirements will be determined based on Table 5 or a soil test. Where soil tests are used to plan the required fertilizers, the recommendations will be based on the recommended soil test levels in the Illinois Agronomy Handbook for the species that will provide the permanent vegetative cover. The need for amendments such as compost and/or manure to add organic matter and improve soil structure and water holding capacity will be determined by the planner. Quantities of organic soil amendments used to meet part or all of the nutrient requirements listed in Table 5 will be based on laboratory tests that provide nutrient content of the material planned for use. Agricultural limestone to increase the pH of acid soils or elemental sulfur to lower the pH of alkaline soils will be determined by soil tests or published soil surveys. All fertilizer, pH adjusting materials, and organic amendments shall be included in site plans that specify amounts, timing, and method of application.

Additional Criteria to Stabilize Stream and Channel Banks, Pond and other Shorelines

Bank and Channel Slopes. Channel side slopes shall be shaped so that they are stable

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and allow establishment and maintenance of desired vegetation.

A combination of vegetative and structural measures may be necessary on slopes steeper than 2:1 to ensure adequate stability.

Species Selection. Plant material used for this purpose shall:

- be adapted to the hydrologic zone (see Fig. 1) into which they will be planted.
- be adapted and proven in the regions in which they will be used.
- be compatible with existing vegetation in the area
- protect the channel banks but not restrict channel capacity.

Establishment of Vegetation. The species used, planting rates, spacing, and methods and dates of planting shall be based on local planting guides or technical notes.

Additional Criteria to Restore Sand Dunes and Coastal Sites

Plants for sand dunes and coastal sites must be able to survive being buried by blowing sand, sand blasting, salt spray, salt water flooding, drought, heat, and low nutrient supply.

Local plant lists including appropriate species shall be developed and utilized.

Sand trapping devices such as sand fences or brush matting shall be included in the revegetation/stabilization plans where applicable.

CONSIDERATIONS

Species or mixes that are adapted to the site and have multiple values should be considered. Native species should be considered when appropriate to site treatment.

Avoid species that may harbor pests. Species diversity should be considered to avoid loss of function due to species-specific pests.

Planning and installation of other conservation practices such as Diversion (code 362), Obstruction Removal (code 500), Subsurface Drain (code 606), or Underground Outlet (code

Identify and protect desirable existing vegetation during practice installation.

A combination of vegetative and structural practices using living and inert material shall be used when flow velocities, soils, and bank stability preclude stabilization by vegetative establishment alone.

If the existing vegetation on a site will compete with species to be established vegetatively (e.g. bare-root, containerized, ball-and-burlap, potted), it will be controlled in a manner that ensures the successful establishment of the planted species.

Streambank stabilization plantings shall be in accordance with the NRCS Engineering Field Handbook Part 650, Chapter 16 (Streambank and Shoreline Protection) and Chapter 18 (Soil Bioengineering for Upland Slope Protection & Erosion Reduction).

Site Protection and Access Control. Restrict access to planted areas until fully established. 620) may be necessary to prepare the area or ensure vegetative establishment.

Areas of vegetation established with this practice can create habitat for various type of wildlife. Maintenance activities, such as mowing or spraying, can have detrimental effects on certain species. Perform management activities at the times and in a manner that causes the least disruption to wildlife.

PLANS AND SPECIFICATIONS

Prepare plans and specifications for each field or management unit according to the criteria and operation and maintenance sections of this standard. Specifications shall describe the requirements for applying this practice to meet the intended purpose.

Record practice specifications on the IL Job Sheet 342.

The following elements shall be specified, as applicable, to meet the intended purpose(s).

- Site Preparation
- Topsoil if required
- Rates of soil amendments

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- Seedbed/Planting Bed Preparation
- Methods of Seeding/Planting
- Time of Seeding/Planting
- Species and planting/seed rates
- Mulching
- Supplemental Water for Plant Establishment

Specifications for applying the practice shall be prepared for each site. Information will be recorded using the IL Job Sheet 342.

Seed

All seed shall be of high quality and comply with Illinois Seed and Weed Laws and originate from the United States or Canada.

Seed rates will be based on Pure Live Seed (PLS) per acre. Pure Live Seed will be calculated using the following formula:

$$PLS = \frac{(\% \text{ germination} + \% \text{ dormant seed}) \times \% \text{ purity}}{100}$$

Germination tests are required for all warm and cool season grasses and legumes (excluding companion crops). Germination tests may not be older than 12 months at time of seeding, excluding the month of testing.

Approved seeding mixtures and rates are found in Tables 2 and 4.

Legume Inoculation

Legume seeds shall be treated with a pure culture of nitrogen fixing bacteria prepared specifically for the species to be seeded. Where more than one legume is included in the seed mixture, inoculate each species separately. A sticker, as recommended by the inoculant manufacturer, will be used to secure the bacteria to the seed. Refer to Illinois Agronomy Technical Note Number 20 for guidance.

Legumes not pre-inoculated will be inoculated within 24 hours of seeding.

Pre-inoculated seed must be seeded within 60 days of inoculation unless coated. Coated pre-inoculated seed must be seeded within 12 months of inoculation. In no cases shall inoculum be used after the inoculum expiration

date including inoculum that is included with the seed as a pre-treatment.

Inoculant rates will be tripled when seed is applied with hydroseeding methods.

Lime and Fertilizer

Agricultural limestone will be applied to adjust soil pH levels as necessary for the species to be established. Limestone application rates will be calculated according to the guidelines contained in the Illinois Agronomy Handbook. Fertilizer will be applied according to soil tests or per Table 5. Organic amendments may be used in lieu of commercial fertilizers. Nutrient content of organic amendments may be determined by laboratory analysis or estimated based on "book" values.

Site preparation

Construction sites

The seedbed shall be suitable for root growth of at least one foot in depth after construction is completed. Where necessary to restore or maintain productivity, spread topsoil over areas disturbed by construction. If specified by the designer, spread a minimum of 6 inches of topsoil on the area to be seeded, bringing the area to the final specified grade.

Seedbed preparation for temporary seedings on construction sites shall be performed according to the following guidelines:

- Seedings applied within 24 hours of final grading may be performed with no seedbed preparation.
- Fertilizer and lime are not required where seedings are planned to provide 90 days or less protection.
- Temporary cover seedings planned to provide 90 days or greater protection will be limed and fertilized as needed. Amendments will be incorporated to a depth of 3 inches. Seedbed preparation may be limited to the extent required to incorporate soil amendments.
- Temporary seedings expected to last more than one year will be applied with conventional seedbed preparation methods.

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- See Table 5 for approved temporary covers. For additional cover crops, refer to the Cover Crop Practice Standard and Specifications (Practice Code 340).

Seedbed Preparation and Establishment Methods for Permanent Vegetation

Conventional Method

Incorporate required amendments to depth of 3 inches, leaving a firm seedbed free of large clods, stones, and debris larger than 6 inches in diameter. Seedbed must be firmed with a cultipacker/cultimulcher, harrow, or similar tool designed to break clods, level, and firm the seedbed. Seedbeds are considered firm when footprints leave no more than a 1/2 inch deep depression. Apply seed uniformly at a depth of 1/4-1/2 inch with a drill or cultipacker type seeder. Broadcast methods are acceptable where the seed will be applied uniformly and covered 1/4-1/2 inch deep with a cultipacker/cultimulcher, harrow, or similar tool designed to break clods, level, and firm the seedbed.

Dormant Seedings

Prepare a conventional seedbed when soils are conducive to tillage. Apply and anchor mulch according to the Mulching Practice Standard and Specifications (Practice Code 484). Apply seed using the broadcast or hydroseed method during the dormant seeding period.

Hydroseeding

Seed, fertilizer, lime, and mulch may be applied together. Hydrated lime may not be used in the slurry mix. Slurry mixes will have no more than 125 pounds of solids per 100 gallons of water. The pH of the slurry shall be a minimum of 6.0 when inoculated legumes are included in the seed mixture.

Legumes to be hydroseeded will be inoculated at triple the rate recommended by the manufacturer. When inoculant is added to the fertilizer and lime mixture, begin slurry application within 30 minutes. Re-inoculate slurry if mixture is not completely applied within one hour.

Hydroseeded slurries shall be applied to a moist soil surface.

Mulching

Mulching is beneficial to the establishment of new seedings to stabilize earthwork on engineering practices and other Critical Area seedings. Table 5 lists mulching requirements for the various categories of Critical Area Planting sites.

Apply mulch according to the Mulching Practice Standard and Specifications (Practice Code 484).

Establishing Sod

Grade area(s) to a slope of 2:1 or flatter. Smooth area to remove rills and gullies. Remove all debris that would prevent contact between the soil and sod roots. Use of ladders on steep slopes will speed sod installation, prevent disruption of the seedbed, and avoid damage to the sod. Sodding must be complete by October 1.

Lime and fertilize according to soil tests. Where soil tests are unavailable, apply 120 lbs./ac each of N-P₂O₅-K₂O. Incorporate required soil amendments 3 inches deep and prepare a conventional seedbed.

Moisten soil to a depth of 2 inches.

Use only moist, freshly cut sod cut uniformly 1/2-1 inch in thickness.

Start laying sod on the lower end of slopes and perpendicular to the flow of runoff. Stagger joints and fill them with loose soil and compact after sod strips are laid. Tamp or roll installed sod to ensure uniform and complete contact between the soil and sod roots. Irrigate installed sod with sufficient volume to percolate to the soil layer under the sod.

VEGETATING ACID MINE SPOIL MATERIAL

Slurry and Gob Material

Divert surface runoff from surrounding land where applicable. Smooth the surface to fill rills and gullies.

Slope lengths greater than 100 feet will require terraces and/or diversions.

Apply a minimum of 10 tons/acre of limestone.

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Top dress gob or slurry material uniformly with a minimum of 6 inches of suitable soil material. Scarify the surface before applying the soil material. Remove debris such as stones greater than 4 inches in diameter that will interfere with seeding operations.

Apply limestone to the cover material to correct soil pH to a minimum of 6.0. Apply and incorporate fertilizer that will provide 120-300-180 pounds per acre of N-P₂O₅-K₂O.

Prepare a firm, conventional seedbed. Use seed mixtures found in Table 4. Apply mulch according to the specifications contained in the Mulching practice standard and specifications (Practice Code 484).

Acid Overburden Material

Limestone requirements will be determined using the Acid Base Accounting Method.

Limestone must have a Calcium Carbonate Equivalent of 80%. The particle size distribution must have at least 10% larger than 8-mesh screen; 30% pass 8-mesh and are held on a 30-mesh screen ; 30% pass 30-mesh screen and are held on a 60-mesh screen; and 30% pass a 60-mesh screen.

Limestone shall not be applied in a single application greater than 25 tons/acre. Sites requiring greater than 25 tons/acre will be limed at 2/3 the calculated rate. Limestone will be incorporated to a depth of 6 inches. The remaining limestone shall be applied within 2 years of the initial seeding.

Delay seeding for 2-4 weeks to allow for some acid neutralization.

Apply and incorporate 60-120-120 lbs./acre of N-P₂O₅-K₂O to a depth of 6 inches.

Establish a green manure crop according to the Cover Crop practice standards and specifications (Practice Code 340). The green manure will be managed according to the guidelines listed under the criteria to increase organic matter content. The permanent cover will be established during the next seeding period following green manure incorporation.

The overburden material will be re-tested prior to the permanent seeding using the Acid Base Accounting Method to determine the extent the

pH has been corrected and calculate if additional lime required is needed.

Permanent cover will be established using seed mixtures contained in Table 4. Apply and incorporate 50-180-60 lbs./acre of N-P₂O₅-K₂O and additional lime to a depth of 3 inches and prepare a conventional seedbed.

All seedings will be mulched according to the guidelines found in the Mulching practice standard and specifications (Practice Code 484).

Seedings may be established with a nurse crop if mulching is not feasible.

Tree and Shrub Plantings

Trees and shrubs may be used to vegetate acid mine spoils. Tree spacing and site preparation shall be performed according to the Tree/Shrub Establishment practice standard and specifications (Practice Code 612).

VEGETATING NATURAL OR CONSTRUCTED WATERWAYS

The constructed channel and adjacent areas disturbed during construction where vegetation is needed for proper functioning of the waterway shall be vegetated.

When shaping and grading is complete, remove roots, limbs, rocks, or other debris that would interfere with seeding and maintenance activities.

Prior to seedbed preparation, apply 120 lbs./acre each (N-P₂O₅-K₂O). Apply limestone if necessary for the species to be grown.

Prepare the seedbed as specified in the "Seedbed Preparation and Establishment Methods for Permanent Vegetation" Section.

Select a suitable seed mixture from Table 2. Grade stabilization structures constructed to stabilize grassed waterway outlets may be seeded with the grassed water way seed mixture. Companion legumes seeded at rates in the table below **may** be added to seed mixtures listed in Table 2.

Legume	PLS/acre
Alfalfa or, Red Clover or, Alsike	8

Clover	
Birdsfoot Trefoil	12

Drill seeding and seed covering operations will be completed perpendicular to flow of water.

Seeding will be completed within the seeding periods specified in Table 1. Late summer dates can be extended by 14 days if soil moisture and temperatures favor the establishment of the seeding.

Seed a companion crop of oats at 32 lbs./ac for spring seedings or 20 lbs./ac of either wheat or cereal rye for late summer seedings.

Where temporary vegetative cover is necessary to stabilize a waterway during the midsummer period, establish one of the following covers;

Cover Crop	Rate lbs./acre
Sudangrass	20
Shelled corn	250
Oats	100

Where temporary vegetative cover is necessary to stabilize a waterway after the fall seeding period has passed, establish one of the following cool season covers:

Wheat or cereal rye 150 lbs./ac

Fall temporary cover can be seeded until the following dates after which temporary cover must be provided by mulching:

Plant Suitability Zone 1 October 21

Plant Suitability Zone 2 November 3

Plant Suitability Zone 3 November 11

OPERATION AND MAINTENANCE

Use of the area shall be managed as long as necessary to stabilize the site and achieve the intended purpose.

Control or exclude pests that will interfere with the timely establishment of vegetation.

Inspections, reseeding or replanting, fertilization, and pest control may be needed to

insure that this practice functions as intended throughout its expected life.

Protect grassed waterways from damage by farm equipment, vehicular traffic, and livestock.

Repair and re-seed any damaged or scoured areas as soon as possible

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Table 1. Acceptable Planting Dates by Plant Suitability Zones

TYPE OF SEEDING	PLANT SUITABILITY ZONE ¹	COOL SEASON SPECIES	WARM SEASON SPECIES ²
Spring	I	Late Winter - June 1	Late Winter - June 15
	II	Late Winter - May 15	Late Winter - June 5
	III	Late Winter - May 15	Late Winter - June 1
Late Summer	I	August 1 - September 1	Not Recommended
	II	August 1 - September 10	Not Recommended
	III	August 1 - September 20	Not Recommended
Dormant	I	November 1 - Freeze-up	November 1 - Freeze-up
	II	November 15 - Freeze up	November 15 - Freeze up
	III	November 15 - Freeze up	November 15 - Freeze up
Frost	I	February 1 - March 15	February 1 - March 15
	II	February 1 - March 1	February 1 - March 1
	III	February 1 - March 1	February 1 - March 1
¹ - Refer to the "Plant Suitability Zones" map locate in Section I, IL-FOTG-Climatic Data ² - Dates to be used when warm and cool season natives are planted in mixture.			

Table 2. Seed Mixtures for Grassed Waterways***

Seed Mixture*	Seeding Rate PLS lbs./acre	SITE SUITABILITY		Remarks	Retardance Height Range, inches				
		Well Drained	Poorly Drained		Unmowed Retardance	B	C	D**	E**
Smooth Bromegrass and Redtop or Timothy	20 and 4 or 4	X			B	16-33	7-16	3-7	0-3
Smooth Bromegrass and Tall Fescue	8 and 16	X	X		B	16-33	7-16	3-7	0-3
Tall Fescue	20	X	X		B	16-33	7-16	3-7	0-3
Smooth Bromegrass and Perennial Ryegrass	10 and 10	X	X		B	16-30	7-16	3-7	0-3
Tall Fescue and Redtop or Timothy	16 and 4 or 4	X	X		B	16-30	7-16	3-7	0-3
Kentucky Bluegrass	35	X		Suitable for areas where close mowing is desired.	C	---	5-12	2-5	0-2
Kentucky Bluegrass and Red Fescue	4 and 20	X	X	Suitable for areas where close mowing is desired. Adapted to shady sites.	C	---	6-12	2-6	0-2
Redtop	8		X		B	16-30	7-16	3-7	0-3
Canada Wildrye and Western Wheatgrass	10 and 10	X	X		B	16-30	7-16	3-7	0-3
Tall Fescue and Perennial Ryegrass	12 and 10	X			B	16-27	7-16	3-7	0-3
Kentucky Bluegrass and Perennial Ryegrass	20 and 10	X	X	Suitable for areas where close mowing is desired.	C	---	6-13	2-6	0-2

* Use planting dates for cool season species for all mixtures in Table 2.

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** D and E retardance for all mixes (except the three with Kentucky bluegrass) shall be used for stability design purposes ONLY. Maintenance at these heights after establishment will result in loss of vegetation.

***The seed mixtures included in the table above may also be used for grade stabilization structures constructed to provide a stable outlet to the grassed waterway(s).

Table 3. Site Groupings

Site Group	Description
1	dams, dikes, borrow areas, road cuts and other construction areas
2	steep eroding land, idled or formerly cropped land affected by severe erosion
3	blow outs in sandy soils
4	acidic mine refuse such as gob areas, slurry pit areas, and/or acid overburden material.
5	ditch bank side slopes
6	ditch bank spoil areas

1. Oats may be used for seedings in planted early spring to August 15.
2. Wheat or Cereal Rye must be used for seedings planted after August 15 but may be used for early spring seedings also.

Table 4. Seed Mixtures

Seed Mixture	Seeding Rate PLS lbs./acre	pH Suitability	Site Groups ³
Cool Season Mixtures			
Smooth Bromegrass and Alfalfa	24 and 8	6.0-7.5	1,2,5,6
Tall Fescue and Alfalfa	24 and 8	6.0-7.5	1,2,3,5,6
Tall Fescue or Smooth Bromegrass and Timothy or Redtop and Birdsfoot Trefoil	12 or 24 and 2.5 and 12	5.5-7.5	1,2,3,4,5,6
Tall Fescue or Smooth Bromegrass and Perennial Ryegrass and Alsike, or Red Clover	12 or 20 and 10 and 8	6.0-7.0	1,2,3,5,6,
Tall Fescue or Smooth Bromegrass and Redtop or Timothy and Alsike, or Red Clover	12 or 24 and 2.5 and 8	6.0-7.0	1,2,3,5,6
Tall Fescue and Smooth Bromegrass and Alfalfa	12 and 12 and 8	6.5-7.5	1,2,3,5,6
Smooth Bromegrass or Tall Fescue and Perennial Ryegrass and Alfalfa	20 or 10 and 10 and 8	6.0-7.5	1,2,3,5,6
Smooth Bromegrass or Tall Fescue and Perennial Ryegrass and Birdsfoot Trefoil	20 or 10 and 10 and 12	5.0-7.0	1,2,4,5,6
Redtop	8	4.5-8.0	Dikes constructed for wetland restoration

Seed Mixture	Seeding Rate PLS lbs./acre	pH Suitability	Site Groups ³
Native Mixtures			
Switchgrass 'Cave-in-Rock'	8	5.5-7.0	1,2,6
Switchgrass 'Cave-in-Rock' and Big Bluestem and Indiangrass	2 and 6 and 6	5.5-7.0	1,2,6
Canada Wildrye and Western Wheatgrass	10 and 10	5.0-8.0	1,2,4,5,6,
Canada Wildrye and Switchgrass 'Cave-in-Rock'	10 and 6	5.0-8.0	1,2,4,5,6,
3. Site Groups described in Table 3.			

Table 5. Fertilizer, Companion Crop and Mulch Requirements.

Site Grouping	Fertilizer (lbs./acre) N-P ₂ O ₅ -K ₂ O	Companion Crop		Mulch	Remarks
		Oats ¹	Cereal Rye or Wheat ²		
1	120-120-120	1 bu./acre	20 lbs./acre		The designer with engineering job approval authority is responsible for determining if mulching is required for the site specific engineering practice.
2,3,5	120-120-120	1 bu./acre	20 lbs./acre	Yes	For site groups 2 and 3, incorporate manure mixed with straw or sawdust bedding where available
4-Gob or Slurry	120-300-180	1 bu./acre	20 lbs./acre	Yes	
4-Acid overburden	60-120-120 at cover crop establishment 50-180-60 at permanent cover establishment	1 bu./acre	20 lbs./acre	Yes	
6	60-60-60	1 bu./acre	20 lbs./acre		The designer with engineering job approval authority is responsible for determining if mulching is required.
Grassed waterways	120-120-120	1 bu./acre	20 lbs./acre		The designer with engineering job approval authority is responsible for determining if mulching is required for specific grassed waterways.
Temporary Cover (45-365 days)	60-60-60 (Note: Fertilizer is not required for seedings planned to provide < 90 days of protection)	Temporary Cover		No	Only wheat or rye will be used where the temporary cover period includes the winter months. Sudangrass or sorghum-sudangrass can be used where the planting date is between May 1 – August 1.
		Oats, wheat, or cereal rye at 90 lbs/acre Sudangrass or sorghum-sudan hybrids at 20 lbs./acre			
Temporary Cover (>-365 days)	60-60-60	Annual or perennial ryegrass 20 lbs./acre		Yes	

1. Oats may be used for seedings in planted early spring to August 15.

2. Wheat or Cereal Rye must be used for seedings planted after August 15 but may be used for early spring seedings also.

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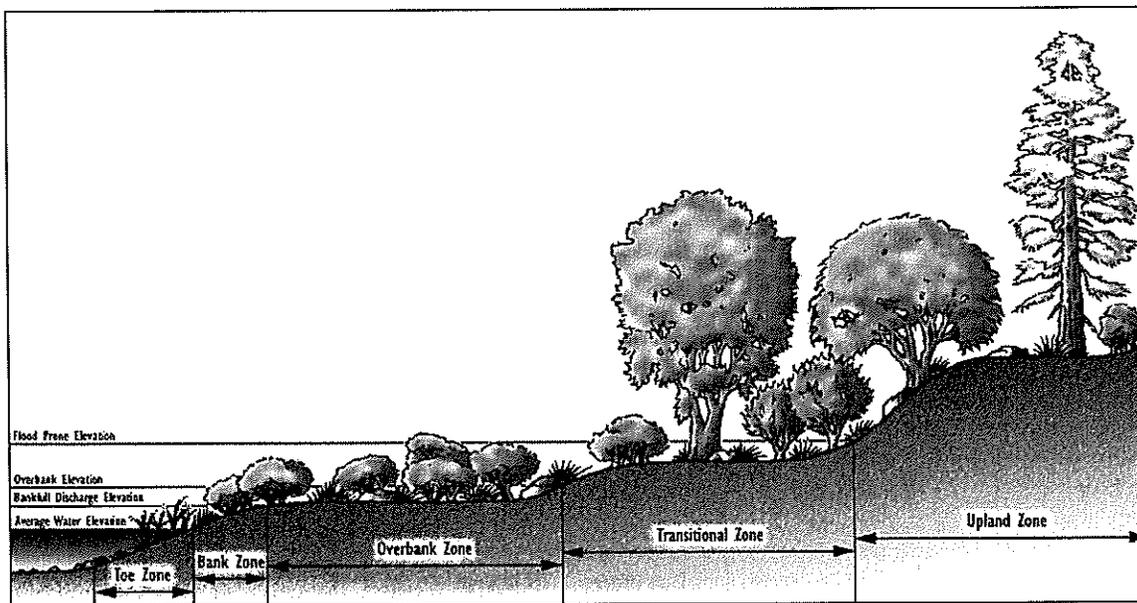


Figure 1. Location of hydrologic zones along a channel or shoreline.

Definitions and descriptions of hydrologic zones used for channels and shorelines:

Bank full Discharge Elevation - In natural streams, it is the elevation at which water fills the channel without overflowing onto the flood plain.

Bank Zone - The area above the Toe Zone located between the average water level and the bank full discharge elevation. Vegetation may be herbaceous or woody, and is characterized by flexible stems and rhizomatous root systems.

Overbank Zone - The area located above the bank full discharge elevation continuing upslope to an elevation equal to two thirds of the flood prone depth. Vegetation is generally small to medium shrub species.

Toe Zone - The portion of the bank that is between the average water level and the bottom of the channel, at the toe of the bank. Vegetation is generally herbaceous emergent aquatic species, tolerant of long periods of inundation.

Transitional Zone - The area located between the overbank zone, and the flood prone width elevation. Vegetation is usually larger shrub and tree species.

Upland Zone - The area above the Transitional Zone; this area is seldom if ever saturated.

Note: some channels or shorelines have fewer than four hydrologic zones because of differences in soils, topography, entrenchment and/or moisture regime.

**NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION PRACTICE STANDARD**

TREE/SHRUB SITE PREPARATION

(Ac.)

CODE 490

DEFINITION

Treatment of areas to improve site conditions for establishing trees and/or shrubs.

PURPOSE

- Encourage natural regeneration of desirable woody plants.
- Permit artificial establishment of woody plants.

CONDITIONS WHERE PRACTICE APPLIES

On all lands needing treatment to establish trees and/or shrubs.

CRITERIA

General Criteria Applicable to All Purposes

The method, intensity, and timing of site preparation will match limitations of the site, equipment, and requirements for establishing the desired woody species. Use Table 2 as a guide in determining appropriate site preparation methods.

An appropriate site preparation method (mechanical, chemical, and/or burning) will be chosen to achieve the intended purpose and to protect desirable vegetation, site, and soil conditions. Other complementary practices and measures will be used as necessary to control erosion, runoff, compaction and displacement to acceptable levels.

Erosion and/or runoff will be controlled. Soil compaction and displacement will be minimized.

Maintain necessary filter strips and/or riparian forest buffers. Follow criteria in conservation practice standards FILTER STRIP (Practice

Code - 393) and RIPARIAN FOREST BUFFERS (Practice Code - 391).

Remaining slash and debris shall not create habitat for or harbor harmful levels of pests, or hinder needed equipment operations, or create an undue fire hazard.

Measures, including the use of equipment, will be implemented to control or protect against locally invasive and noxious species that may arise from site preparation activities. If pesticides are used, refer to conservation practice standard PEST MANAGEMENT (Practice Code - 595).

All chemicals will be applied in accordance with label guidelines. Dispose of chemical containers in accordance with label direction and adhere to federal, state, and local regulations.

Comply with applicable federal, state, and local laws and regulations during installation, operation, and maintenance of the conservation practice.

Livestock will be fenced out to prevent damage to site preparation areas and woody plants.

Additional Criteria to Encourage Natural Regeneration of Desirable Woody Plants

Existing desirable tree species must be present with the potential for successful natural regeneration and seed production. Refer to conservation practice standard TREE/SHRUB ESTABLISHMENT (Practice Code - 612).

CONSIDERATIONS

The site preparation method(s) selected should be cost-effective and protect cultural resources, wildlife habitat, threatened and endangered

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species, water resources, and identified unique areas on the site.

Visual quality objectives should be considered when selecting site preparation methods. Anticipate possible off-site effects and modify site preparation design accordingly.

Consider personnel safety issues during site preparation activities.

If a plow pan or compacted soils exist, use subsoiling or ripping techniques to break-up the subsoil and promote healthy plant root systems.

If chemical site preparation is used to control vegetation, the potential for surface and/or ground water contamination exists.

When preparing sites located in cropland fields, consider the effect carry-over herbicide residue will have on planted tree species.

Particulates, smoke, and other air pollutants generated by site preparation may have on-site and off-site effects on air quality.

Impacts on wildlife species, habitat and aesthetics should be considered when selecting site preparation methods.

For complex sites, consult a professional forester for assistance.

PLANS AND SPECIFICATIONS

Plans will address method of site preparation, species, and protection required during establishment of desirable woody plants.

Specifications for applying the practice and protection of the site shall be prepared and recorded using approved specification sheets, job sheets, technical notes and narrative statements in the conservation plan or other acceptable documentation.

Cropland / Grassland

Areas with residue cover less than 50% may not require site preparation, depending on equipment that will be used for tree/shrub planting. Areas with residue cover greater than 50% will require site preparation, see Table 2.

If site preparation is needed, use one or more of the following methods.

Mechanical: Expose mineral soil. Limit tillage activities to no more than 2 months prior to planting or seeding. Till earlier if flooding is a possibility. Fall tillage is permissible for early spring planting. Use contour strip tilling on slopes greater than 3 percent. Planting strip widths should be greater than 3 feet with inter-widths of 5 feet or greater.

Chemical: Mark planting rows with durable markers and apply appropriate chemicals (see References) in 4-foot bands over projected planting rows. If slopes exceed 3 percent, apply treatment on contour. Adhere to all application setbacks directed by chemical label for use in proximity to water bodies and other environmentally sensitive areas. Use low volatile formations. Some chemicals need extended time to work successfully. Consider applying chemicals in the fall or early spring prior to tree planting or direct seeding. Some sod-forming grasses may need to be mowed or tilled, allowed to regrow, and then treated with appropriate chemical to achieve a good kill.

Prescribed Burning: Refer to conservation practice standard PRESCRIBED BURNING (Practice Code - 338). Illinois Job Sheet 338-JS Prescribed Burning Plan will be used for documentation if developed by trained NRCS employees. Other trained professionals may use Illinois Job Sheet 338-JS or another plan format that contains the same information. Prescribed Burning Specifications must adhere to all applicable NRCS policies in the General Manual (190 GM Part 413 Prescribed Burning) and Illinois supplements to the General Manual (190 - General Manual, Amend. IL-1) as well as all applicable state and local laws, ordinances, and regulations. To control competing vegetation, refer to Fire Effects Information System database, <http://www.fs.fed.us/database/feis/>. Enter the name of the plant species to be controlled to determine best time to burn.

If either a temporary or permanent cover is needed or desired after site preparation, use Table 1 to select species, allowable mixture percentage, and minimum seeding rates needed to control potential erosion or weed competition between planting zones.

Table 1. Vegetative Cover

Species	% of mixture by weight (range allowed)	Seeding Rate (lbs PLS/Acre) [Pure Stand]
PERMANENT COVER		
Kentucky bluegrass	0-100	1 lbs
Redtop	0-100	1 lbs
Timothy	0-100	2 lbs
Orchardgrass	0-100	3.2 lbs
Virginia wild rye	0-100	15 lbs
Ladino clover	0-50	2 lbs
Alsike clover	0-50	2.5 lbs
Annual lespedeza	0-50	7.5 lbs
TEMPORARY COVER		
Wheat	100	20 lbs
Rye	100	15 lbs
Oats	100	15 lbs
<p><i>Note: Seeding rates are minimums designed to establish cover with limited competition to trees. Increased seeding rates may be used to accommodate specific site conditions and objectives when designed by the resource planner.</i></p>		

For establishment methods, seeding dates, and fertilization (optional) with a temporary or permanent cover crop, follow criteria in conservation practice standard CONSERVATION COVER (Practice Code - 327).

Forestland

Reforestation

Harvest any merchantable material, then use one or more of the following site preparation methods:

Mechanical: Pile debris in windrows or in a manner that does not impede growth of desired species. Remove remaining cover to expose mineral soil. On slopes greater than 3 percent, operate equipment on the contour. On land that is gullied, some additional grading may be necessary.

Chemical: Mark planting rows with durable markers and apply appropriate chemicals (see References) in 4-foot bands over projected planting rows. If slopes exceed 3 percent, apply on contour. Adhere to all application setbacks directed by the chemical label for use in proximity to water bodies and other environmentally sensitive areas. Use low volatile formations. Some chemicals need extended time to work successfully. Consider applying chemicals in the fall or early spring prior to tree planting or direct seeding.

Prescribed Burning: Refer to conservation practice standard PRESCRIBED BURNING (Practice Code - 338). Illinois Job Sheet 338-JS Prescribed Burning Plan will be used for documentation if developed by trained NRCS employees. Other trained professionals may use Illinois Job Sheet 338-JS or another plan format that contains the same information. Prescribed Burning Specifications must adhere to all applicable NRCS policies in the General Manual (190 GM Part 413 Prescribed Burning) and Illinois Supplements to the General Manual (190 - General Manual, Amend. IL-1) as well as all applicable state and local laws, ordinances, and regulations. To reduce surface leaf litter, burn after leaf fall in late November or early December. To control competing vegetation, refer to Fire Effects Information System database, <http://www.fs.fed.us/database/feis/>. Enter the name of the plant species to be controlled to determine best time to burn.

Underplanting

Control woody plants less than 2 inches Diameter Breast Height (DBH) and herbaceous competitors by method(s) identified in Table 2.

Reduce competition from undesirable woody plants greater than 2 inches DBH that directly interfere with the planted tree(s) ability to capture secondary light from the overstory canopy.

Reduce overstory to achieve 40-70% stocking through harvest or thinning of undesirable trees, resulting in a well spaced fairly uniform overstory canopy.

Conduct burning only under controlled, predetermined conditions as outlined in Illinois Job Sheet 338-JS or other approved burn plan format. Refer to conservation practice standard

PRESCRIBED BURNING (Practice Code - 338). To reduce surface litter, burn after leaf fall in late November or early December. To control competing vegetation, burn in late spring.

The remaining overstory may be removed during the dormant season after 3-5 years or when planted trees are fully established.

To increase survival and reduce animal browsing of underplanted trees, consider installing 4-5 foot tube tree shelters on all container stock or on at least 50 well-dispersed most vigorous seedlings per acre.

Natural Regeneration

To encourage natural regeneration establishment and development of desirable woody plants, utilize the same principals for overstory stocking and removal of competition as outlined in **Underplanting**.

If adequate regeneration exists or will be supplemented by stump sprouting, create regeneration harvest openings greater than .2 acres in size. Up to 20 square feet of basal area per acre can be retained in crop trees within the openings to supplement mast/seed production without interfering with regeneration.

OPERATION AND MAINTENANCE

Repair/maintain erosion control measures as necessary to ensure proper function.

Control locally invasive and noxious plants to a level where they do not compete with tree establishment. If pesticides are used, refer to conservation practice standard PEST MANAGEMENT (Practice Code - 595).

Access by vehicles or equipment during or after site preparation (i.e. before adequate tree and shrub establishment occurs) shall be controlled to minimize erosion, compaction and other site impacts. Refer to conservation practice standard ACCESS CONTROL (Practice Code - 472).

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Table 2. Site preparation guidelines.

Site preparation methods noted for each category are suggested options based on cover and type of establishment method.

(NOTE: Specific site conditions may not allow the use of indicated site preparation options. Make appropriate adjustments based on field conditions, observations, and landowner objectives.)

<u>SITE TYPE</u>	<u>ESTABLISHMENT METHODS</u>		
Cover	Direct Seeding	Natural Regeneration	Seedling/Container
Cropland	<u>SITE PREPARATION OPTIONS **</u>		
<50 % Cover	C-N	C-N	C-N
>50% Cover	C-M-MC	C-M-MC	C-M-MC
Grassland	C-M-CB-MC	C-M-CB-MC	C-M-CB-MC
Forestland	C-M-MC-B-MB-CMB-H	C-M-MC-B-MB-CMB-H	C-M-MC-B-MB-CMB-H

* Direct Seeding in underplanting situations is often difficult due to residual stocking and is not recommended.

**

- M - Mechanical
- C - Chemical
- B - Prescribed burning
- N - Not necessary
- MB - Mechanical and prescribed burning
- MC - Mechanical and chemical
- CB - Chemical and prescribed burning
- CMB - Chemical, mechanical and prescribed burning
- H - Harvest cut, to increase light penetration to understory

**NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION PRACTICE STANDARD
CHANNEL BED STABILIZATION**

(Ft.)

CODE 584

DEFINITION

Measure(s) used to stabilize the bed or bottom of a channel.

PURPOSE

This practice may be applied as part of a conservation management system to support one or more of the following:

- Maintain or alter channel bed elevation or gradient
- Modify sediment transport or deposition
- Manage surface water and groundwater levels in floodplains, riparian areas, and wetlands.

CONDITIONS WHERE PRACTICE APPLIES

This practice applies to the beds of existing or newly constructed alluvial or threshold channels that are undergoing damaging aggradation or degradation and that cannot be feasibly controlled by clearing or snagging, by the establishment of vegetative protection, by the installation of bank protection, or by the installation of upstream water control measures.

CRITERIA

Utilities and Permits. The landowner and/or contractor shall be responsible for locating all buried utilities in the project area, including drainage tile and other structural measures.

The landowner shall obtain all necessary permissions from regulatory agencies, including but not limited to the Illinois Department of Agriculture, US Army Corps of Engineers, US Environmental Protection Agency, Illinois Environmental Protection Agency and Illinois Department of Natural Resources – Office of Water Resources, or

document that no permits are required.

Measures shall be designed and installed according to a site-specific plan.

Measures to be applied shall be compatible with improvements planned or being carried out by others.

Sufficient depth shall be maintained to provide adequate outlets for subsurface drains, tributary streams or ditches, or other channels.

Effect of channel work on existing structures such as culverts, bridges, buried cables, pipelines, and irrigation flumes, shall be evaluated to determine impact on their intended functions.

Measures shall be designed for flow duration, depth of inundation, buoyancy, uplift, scour, angle of attack, and stream velocity and be sustainable for higher flow conditions, based on acceptable risk.

Measures shall be compatible with the bank or shoreline materials, water chemistry, channel hydraulics, and slope characteristics, both above and below the water line.

Measures shall be designed for anticipated ice action, debris impact, and fluctuating water levels.

Spoil material from clearing, grubbing, and channel excavation shall be disposed of in a manner that will not interfere with the function of the channel and in accordance with all local, State, Tribal, and Federal laws and regulations.

All disturbed areas around measures shall be protected from erosion. Vegetation shall be selected that is best suited for the anticipated site conditions.

Measures shall be designed to avoid adverse effects on endangered, threatened, proposed,

Conservation practice standards are reviewed periodically, and updated if needed. To obtain the current version of this standard, contact the Natural Resources Conservation Service [State Office](#), or visit the [Field Office Technical Guide](#).

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and candidate species and their habitats.

Measures shall be designed to avoid adverse effects on archaeological, historic, structural, and traditional cultural properties.

Measures will not impede the upstream or downstream passage of aquatic organisms.

Channel clearing to remove stumps, fallen trees, debris, and sediment bars shall only be done when they are causing or could cause detrimental bank erosion or structural failure. Habitat-forming elements that provide cover, food, pools, and water turbulence shall be retained or replaced to the extent possible.

Measures shall be designed to maintain the appropriate sediment transport regime in order to avoid detrimental erosion or sedimentation upstream and downstream.

Measures shall not impair the floodway or floodplain functions.

Measures shall not result in adverse affects on the function of the stream or the stream corridor. These adverse effects include destruction of instream habitat, sediment transport imbalances, passage barriers, or unexpected changes in channel plan, pattern, or profile.

When water surface elevations are a concern, the effects of protective measures shall not cause detrimental changes in water surface elevations.

The quantity and character of the sediments entering the reach of channel under consideration shall be analyzed on the basis of both present conditions and projected conditions caused by changes in land use or land treatment and upstream improvements or structural measures.

CONSIDERATIONS

Consider area-wide planning for proper design, function, and management of protective measures, where the design reach involves multiple stakeholders.

Assess channel stabilization needs in sufficient detail to identify the causes contributing to the instability (e.g. watershed alterations resulting in significant modifications of discharge or sediment production). Due to the complexity of such an assessment, use of an interdisciplinary team should be considered.

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When designing protective measures, consider the changes that may occur in the watershed hydrology and sedimentation over the design life of the measure.

Consider using woody material removed during construction in the overall practice design.

Consider maintaining or improving the habitat value for fish and wildlife, which includes lowering or moderating water temperature, and improving water quality.

Consider opportunities to improve habitat for threatened, endangered, and other species of concern, where applicable.

Consider maximizing adjacent wetland functions and values with the project design and minimizing adverse effects to existing wetland functions and values.

Consider protecting side channel inlets and outlets from erosion or sedimentation.

Consider the type of human use and social and safety aspects when designing the protective measures. Use construction materials, grading practices, vegetation, and other site development elements that enhance aesthetics, recreational use, and maintain or complement existing landscape uses such as pedestrian paths, climate controls, and buffers. Avoid excessive disturbance and compaction of the site during installation.

Measures should be designed to minimize safety hazards to boaters, swimmers, or people using the channel.

PLANS AND SPECIFICATIONS

Plans and specifications for this practice shall be prepared for specific channel reaches and field sites and shall describe the requirements for applying the practice to achieve its intended purpose(s).

OPERATION AND MAINTENANCE

An Operation and Maintenance plan will be prepared. The plan shall provide specific instructions for operating and maintaining the system to ensure that it functions properly. It shall also provide for periodic inspections and prompt repair or replacement of damaged components.

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION PRACTICE STANDARD
TREE/SHRUB ESTABLISHMENT

(Ac)

Code 612

DEFINITION

Establishing woody plants by planting seedlings or cuttings, direct seeding, or natural regeneration.

PURPOSE

Establish woody plants for:

- forest products such as timber, pulpwood, etc.
- wildlife habitat
- long-term erosion control and improvement of water quality
- treating waste
- storing carbon in biomass
- reduce energy use
- develop renewable energy systems
- improving or restoring natural diversity
- enhancing aesthetics

CONDITIONS WHERE PRACTICE APPLIES

Tree/shrub establishment can be applied on any appropriately prepared site where woody plants can be grown.

Utilize other conservation practice standards for specialized tree/shrub establishment situations, e.g., RIPARIAN FOREST BUFFER (Practice Code – 391), ALLEY CROPPING (Practice Code – 311), WINDBREAK/SHELTERBELT ESTABLISHMENT (Practice Code – 380), CRITICAL AREA PLANTING (Practice Code – 342), HEDGEROW PLANTING (Practice Code – 422).

CRITERIA

General Criteria Applicable to All Purposes

Composition of species will be adapted to site conditions and suitable for planned purpose(s).

Species on the Federal or State noxious weeds list, or those known to be invasive to the planting, area shall not be planted.

Planting or seeding rates will be adequate to accomplish the planned purpose for the site.

Planting dates, and care in handling and planting of the seed, cuttings or seedlings will ensure that planted materials have an acceptable rate of survival.

Only viable, high-quality and adapted planting stock or seed will be used.

Sufficient site preparation shall be a precondition for tree/shrub establishment. See conservation practice standard TREE/SHRUB SITE PREPARATION (Practice Code – 490).

Adequate seed or advanced reproduction must be present or provided for when using natural regeneration to establish a stand.

Selection of planting technique, equipment and timing will be appropriate for the site and soil conditions.

The acceptability and timing of coppice regeneration shall be based on species, age and tree diameter.

The planting will be protected from adverse impacts from livestock, wildlife, pests and wildfire.

Each site will be evaluated to determine if

Conservation practice standards are reviewed periodically and updated if needed. To obtain the current version of this standard, contact your Natural Resources Conservation Service State Office or visit the Field Office Technical Guide.

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mulching, supplemental water or other cultural treatments (root dips, geo-textile mats, tree shelters, tree shades, etc.) will be needed to assure adequate survival and growth.

Comply with applicable federal, state, and local laws and regulations during the installation, operation and maintenance of the practice.

Appropriate cultural resources review will be conducted before beginning any tree/shrub planting practice.

Woody plants will be established without compromising the integrity of property lines, fences, utilities, roads, legal drains, easements or rights of way.

Allow at least a 16-foot maintenance strip from the outside row of trees or shrubs to adjacent property lines or contrasting land use areas. Trees or shrubs will not be planted closer than stated unless all involved landowners agree in writing.

Where functional subsurface drains (tile lines) pass through a tree/shrub planting, sealed conduit will be installed through the planting and extend a minimum for 100 feet from rows of large trees (capable of reaching heights greater than 60 feet) and 75 feet from all other trees and shrubs. Trees and shrubs will not be planted within 50 feet of either side of existing subsurface drains.

Additional Criteria for Wildlife Habitat

Use multiple native species (minimum of 3 or more) that best meet wildlife needs. See Illinois Biology Technical Note No. 22 for recommended list of woody plant species.

Additional Criteria for Providing Long-Term Erosion Control and Improving Water Quality

Plants or seed will be evenly distributed over the planting site. Planting rows and equipment operation will be conducted across the slope or along the contour.

Apply mulches, plant residues, non-competitive cover crops or other appropriate erosion control measures on critical erosive slopes (see conservation practice standards MULCHING, (Practice Code – 484), FOREST TRAILS AND

LANDINGS (Practice Code – 655), TREE/SHRUB SITE PREPARATION (Practice Code – 490).

Additional Criteria for Treating Waste

Use species that have fast growth characteristics, extensive root systems, high nutrient uptake capabilities, tolerance of planned effluent and potential for wood/fiber products in short rotations. When establishing in a riparian area, use species adapted to local flooding.

Additional Criteria for Storing Carbon in Biomass

The species and plant communities that attain biomass more quickly will sequester carbon faster. The rate of carbon sequestration is enhanced as trees and/or shrubs mature and soil organic matter increases.

Select plant species with higher rates of growth and that are adapted to the site to assure strong health and vigor.

Additional Criteria to Reduce Energy Use

Orient trees to provide shade to building(s) for reductions in summer energy usage. The first priority is placement on the building's west side where the greatest daily heat gain occurs. The second priority is the east side.

Select plants with a potential height growth that exceeds the height of the structure or facility being protected.

Use appropriate plant densities to optimize the shade produced and meet energy reduction needs.

Trees planted within 30 to 50 ft of the building generally provide effective shade to windows and walls, depending on tree height potential.

Plant trees at least 10 ft from the structure or the distance of the trees expected drip line at maturity, to avoid damage to foundations or restrict maintenance access to windows and walls.

Additional Criteria for Developing Renewable Energy Systems

Select plants that can provide adequate kinds and amounts of plant biomass to supply identified bioenergy needs.

Intensity and frequency of energy biomass removals will be managed to prevent long-term negative impacts on the system.

The harvesting of energy biomass shall be accomplished in a manner that will not compromise the other intended purpose(s) and functions.

Additional Criteria for Improving or Restoring Natural Diversity

Composition of species selected for planting or those favored for natural regeneration will be native to the site and create a successional stage or state that can progress to the desired natural plant community.

Underplanting in Existing Forestland

Improve stand composition and/or stocking by planting a more desirable species under or within an existing stand of established trees.

Overstory canopy conditions at, or reduced to, a 40-70% stocking level are necessary to allow for adequate light to reach the planted stock. Adjustments within stocking level range will be dependent upon shade tolerance of planted species, site conditions and management objectives.

All underplanted seedlings and container stock will benefit from additional cutting or killing of overstory trees 2 or more years after establishment to maintain or increase the amount of light reaching the ground.

Control of competing herbaceous and woody plants prior to and during establishment will be achieved in accordance to conservation practice standard TREE/SHRUB SITE PREPARATION (Practice Code - 490).

Underplanted seedlings are particularly susceptible to browse damage by deer and rabbits. When heavy seedling damage is

anticipated, protect newly planted trees with fences, tree shelters or repellants.

CONSIDERATIONS

Consideration will be given to plant materials that have been selected and tested in tree/shrub improvement programs.

Use of locally adapted seed, seedlings, or cuttings is recommended. Ideally, seed source of plant materials should be within 200 miles north or south of the planting site.

All plant materials should comply with minimum standards such as those as established by the American Nursery and Landscape Association, Forest Service, or state-approved nursery.

When underplanting, trees should be planted sufficiently in advance of overstory removal to ensure full establishment.

Plans for landscape and beautification plantings should consider foliage color, season and color of flowering, and mature plant height.

Consider using diverse species combinations which best meet locally native wildlife and pollinator needs.

Consider the invasive potential when selecting plant species.

Tree/shrub arrangement and spacing should allow for and anticipate the need for future access lanes and stand management.

Residual chemical carryover should be evaluated prior to planting and alter species selection and/or timing or planting/seeding.

Consider using 4-5 foot tube tree shelters to mark rows in row plantings. Install as many well-dispersed tree shelters as feasible, especially if rabbit or deer damage is likely. Place the shelters over the most vigorous seedlings and secure with a decay-resistant stake.

For level planting sites of more than a few acres consider operating planting equipment in a circling pattern, spiraling inward from the outside to the center. An inward spiraling pattern eliminates the need to stop and turn at the ends of rows, saving time and energy. A more natural appearance is

also obtained since row direction is not readily apparent.

Direct seeding sites within 100 feet of tree or grass cover are subject to high seed predation by rodents, reducing chances for success. Consider using other stock types, doubling the seeding rate, reducing rodent populations or a combination of the above. A snap trap survey of rodent populations shortly before seeding the site will allow an opportunity to manage damaging populations before they eat or damage tree seed. See [Illinois Direct Seeding Handbook](#) for information on Wildlife Damage Management.

When direct seeding, consider increasing the seeding rate as much as possible above the minimum specification with low cost or locally available woody seeds, which serve as a woody cover crop or nurse crop. Woody plants are usually less competitive than grasses or forbs and are the best companion crops for trees. Potential nurse crop species include the light seeded tree species (see **Species Selection**). Other potential trees and shrubs include hazelnut, redbud, sumac, dogwood, pawpaw, chokecherry, and plum (see [Direct Seeding of Shrubs](#) in REFERENCES). Test soils and/or consult soil survey report before planting to determine whether soil fertility, pH, or species mix need to be adjusted. Soil tests should indicate a minimum of 15 pounds of phosphorus and 150 pounds of potassium per acre. Some species, such as pin oak (pH < 6.8) and black walnut (high fertility), have very specific requirements.

Consider adding mycorrhizal inoculate either as an amendment at the planting site or incorporated into water absorbing gel dip (synthetic polymer) for bare root seedlings.

To improve plant growth, consider 2 additional years of chemical weed control after plants are established. Weed control should be performed using narrow bands (2-4' wide) on each side of a plant row unless the entire site is treated.

Applications of nutrients may be needed to maintain plant vigor and improve planting survival.

PLANS AND SPECIFICATIONS

Specifications for applying tree/shrub establishment practices shall be prepared for each site and recorded using approved specification sheets, job sheets, technical notes, and narrative statements in the conservation plan or other acceptable documentation. Variations in planting methods and species selection when seeding, interplanting, underplanting, and planting in open areas will be documented.

Plans and specifications will include, as a minimum, the following:

- Adapted tree/shrub species
- Planting stock type, source and quantity
- Planting methods
- Site preparation specifications
- Row spacing (between and within)
- Vegetation control and maintenance

The following table may be used as a guide in choosing suitable planting stock or seed:

Site	Planting Stock
Open Fields	1,2,3,5
Understocked Forestland	1,2,5
Landscaping	1,2,3,4,5
Environmental	1,2,3,5

1 = Bare root; 2 = Container grown; 3 = Cutting; 4 = Balled & burlapped; 5 = Direct seeding

All stock types: Discard weak, moldy or damaged material. Plant materials that have been dried, frozen, subjected to mold or high temperature will be assumed to be dead and will not be planted.

All calipers (diameter) are measured at 1 inch above root collar (nursery soil line). Tree/shrub height and root length are measured from the root collar.

Bare root: Plant seedlings with well-branched, fibrous root systems. Minimum height, caliper and root length (RL) will be:

Conifers

Height	Caliper	RL
6"	3/32"	8"

Hardwoods

Height	RBD	RL
12"	7/32"	8"

Determine depth of planting equipment and root prune only if necessary, to a length of no less than 8 inches, using a sharp tool. Never remove more than 25% of the root system.

Container grown: Plant seedlings with dense, fibrous non-curling root system. Minimum height, caliper and root volume (RV) will be:

Plug Stock < 1 Gallon

Conifers

Height	Caliper	RV
6"	3/32"	7 in ³

Hardwoods

Height	Caliper	RV
12"	7/32"	7 in ³

Air root-pruned potted stock (all species)

Height	Caliper	RV
3'	3/8"	>= 1 gal

Cuttings: Suitable species include cottonwood, hybrid poplar, willow, dogwood and elderberry. Use cuttings prepared during the dormant season from wood of the previous season's growth. At least two healthy buds will be included in the cutting. The minimum size of cuttings will be 3/8 inch in stem diameter and minimum of 8 inches long.

Balled and burlapped: Use stock that is at least 18 inches tall for shrubs. Do not use plants with cracked or broken root-balls, root systems that are visible on the root-ball surface or roots that circle the trunk. Minimum height, caliper and root-ball diameter (RBD) will be:

Conifers

Height	RBD	Caliper
18-24"	10"	Not Applicable
2-3'	12"	
3-5'	14"	
5-6'	20"	

Hardwoods

Height	RBD	Caliper

4-6'	12"	1/2"
6-8'	14"	3/4"
8-10'	16"	1"

(Be advised that although ball and burlapped stock is usually the largest type of planting stock available it will probably not outperform other types of planting stock over time. Often other stock types will equal or surpass balled and burlapped stock within 5 to 10 years, at much lower initial cost.)

Direct seeding: Only undamaged, viable, mature seed will be used. Inspect by species at least 10 randomly selected seed per bushel. Crack or cut open seed and ensure all seed is filled, moist, normal colored and not destroyed by insects. For more information on how to inspect seed, see Seeds of Woody Plants of the United States or Seed Biology and Technology of Quercus (for oaks) or the Illinois Direct Seeding Handbook. Acorns may have up to one insect hole and ¼ of the nut damaged by insects and still be viable. If any non-viable seed is found the seeding rate will be increased by the percentage of non-viable seed.

Care of Planting Stock

Protect stock from desiccation during temporary storage and delivery to the planting site. Keep all types of planting stock, except the ones needed immediately for a supply during planting, stored in a cool environment (< 50 degrees F) out of direct sunlight and wind.

Bare root: Promptly examine in the shipping container and moisten packing material, if necessary. Seedling roots may be soaked in water for no more than 2 hours or coated with a water absorbing gel dip (synthetic polymer) immediately before planting to increase survival. If planting will be delayed for more than 5 days, keep seedlings in shipping container and place in cold storage at 34-40 degrees F. If cold storage is not feasible or available, seedlings will be heeled in. Dig a trench a little deeper than the root systems and spread roots against the back of the trench. Cover roots completely with soil, tamped to eliminate air spaces. Water as needed to keep roots moist but not wet.

Container grown: Keep in containers in a shady location and maintain soil moisture. Do not drop or handle by stem. Thoroughly water 2 days before planting to facilitate removal from containers.

Cuttings: If planting will be delayed, place in moist packing material and then in plastic bags and refrigerate at 34-40 degrees F. Warm and soak cuttings for 5-10 days before planting. Make small slits in the bag, leave cuttings in the bag and immerse ¾ of their length in water. Place cuttings in shade at 50-70 degrees F. Cuttings are ready to plant when the buds start elongating, showing some bright green around the bud scales, and just before roots begin to grow. If weather prevents planting when cuttings are ready, cuttings can be held for weeks by placing them in cold storage at 34-40 degrees F.

Balled and burlapped: Keep the rootball moist by watering slowly from the top. Wet the foliage occasionally. Store temporarily (less than 2 weeks) by placing soil or mulch around the entire ball and keeping it moist.

Direct seeding: See Illinois Direct Seeding Handbook for seed collection, sorting and handling techniques by species. If possible, seed should be planted as soon as it has been cleaned and sorted. If planting is delayed more than a few days, seed will be placed in porous bags, such as onion bags, and in cold storage, no more than 50 degrees F and preferably 34-40 degrees F. All light seeded species (see **Species Selection**) as well as persimmon and Kentucky coffeetree will be kept dry. Heavy seeded species will be kept moist but not wet. Do not allow to mold. Acorns will be rehydrated by soaking in cold water for not less than 4 and not more than 24 hours as soon as possible after collection or delivery and not allowed to dry out. Do not allow seed to heat up. Avoid storing in large quantities unless well ventilated and refrigerated. Never leave tree seed in the sun. For further information by species see Seeds of Woody Plants of the United States or Seed Biology and Technology of Quercus (for oaks) or the Illinois Direct Seeding Handbook.

If light seeded species will be stored for more than a few weeks, place in sealed containers at 34-40

degrees F. If heavy seeded species will be stored for more than a few weeks, transfer to sealed plastic bags: 1.75 mil for white, chinkapin and swamp chestnut oak; 4 mil for all other species. Store at 34-40 degrees F. Inspect bags periodically and if no condensation is visible on the inside of bags rehydrate by soaking. Inspect seed, as described in the previous section, when removing from storage before planting. Acorns in the white oak group should be planted as soon as possible in fall, do not try to store more than 6 months. Other species can be stored under carefully controlled temperature and humidity for up to 3 years and planted whenever soil is unfrozen and moisture is adequate. If sprouting of seed begins seed can still be successfully planted but risk of dehydration is increased.

Planting Dates

Bare root seedlings: Do not plant into frozen or dry soil. Begin planting as soon as the ground can be worked and complete by the dates below (see Illinois Field Office Technical Guide, Section I, Maps, for Plant Suitability Zones):

Plant Suitability Zone I: June 1
Plant Suitability Zone II: May 25
Plant Suitability Zone III: May 15

Fall planting of dormant bare-root seedlings may be done after October 1 until the ground freezes as long as soil moisture is adequate. Fall planting of bare-root stock will not be done on soils subject to frost-heave action.

Avoid planting on hot, windy days. A cool, cloudy day is preferred.

Balled and burlapped and container grown stock: Plant at any time of the year that the ground is not frozen, adequate soil moisture is present and normal precipitation is expected. Water if needed.

Cuttings: Plant between mid-April and June when soil temperature reaches 50 degrees F, or when corn is being planted locally. Soil must be moist.

Direct seeding: Tree/shrub seed may be planted from October through June anytime the ground is not frozen and soil moisture is adequate. For

shrubs, the time of the year seeds are produced is generally the best time to establish that species from seed. Spring seeding can reduce rodent and insect damage. Fall seeding (prior to January 1) can eliminate the need for stratification.

Site Preparation

Follow guidelines in conservation practice standard TREE/SHRUB SITE PREPARATION (Practice Code – 490).

Planting Methods

All stock types: Assure that tree/shrub planting is performed by trained and closely supervised personnel. Hand planting is well suited to small areas, plantings on steep terrain, or sites that are rough, rocky, or have scattered slash and logging debris. Machine planting is well suited to gentle terrain and well-prepared sites.

Bare root and plug container stock: Plant seedlings upright (within 20 degrees of vertical for hardwoods, 10 degrees for conifers) at same depth or slightly deeper (1 inch) than the stock was growing in the nursery. Properly planted seedlings should resist gentle lifting pressure. Do not allow roots to be twisted or bent into a J or L shape. Inspect by digging up and replanting a sample of planted trees. Check for proper depth, root position and adequate packing of soil around roots.

Container >= 1 gallon: Plant by hand or using an auger that is larger in diameter than the container. Handle plants by moving the container, not by grasping the stem. Remove plants from containers before placing in the ground. Straighten or cut all encircling roots to avoid future girdling problems. If plants are in paper pots, slit along each side or remove before placing in the ground. Place plants at the same depth as in the nursery and firmly pack soil around roots to eliminate air pockets. On wetland and floodplain sites the best results have been obtained when ridges or raised beds at least 12 inches high have been created and seedlings planted into these slightly raised sites.

Cuttings: Keep cuttings wet while planting. Plant in a vertical position with buds pointing up. Leave

1 or 2 good buds above ground, about 1 inch of the cutting exposed. If soil is loose, cuttings may be pushed into soil by hand, otherwise make a hole with a dibble. Firm but do not pack the soil. Assure that bottom of cuttings will be deep enough to reach moist soil.

Balled and burlapped: Dig holes 1½ times as big as the rootball. Handle plants by moving the rootball, not by grasping the stem. Remove any rope, wire, or plastic twine from the tree. Pull back burlap around trunk and fold once in the hole. Straighten or cut all encircling roots to avoid future girdling problems. Place plants at the same depth as in the nursery and firmly pack soil around roots to eliminate air pockets. Water if needed.

Direct seeding: Seed may be planted mechanically or by hand, in rows or broadcast. Depth of planting for heavy seeded species will be approximately 2 times the seed diameter, or 1 to 4 inches deep, depending upon species. Plant all species at 2 inches or more if seed predation and/or low soil moisture are anticipated. Light seeded species will be sown on the surface of the soil and firmed by rolling or cultipacking. Heavy seed that is broadcast will be disked in or covered with mineral soil and firmed by rolling or cultipacking.

Natural regeneration: In some instances it is not feasible or practical to attempt to establish a stand of trees by either planting or direct seeding in either spring or fall. Natural regeneration may be used under any of the following conditions:

- Local reports or a site inspection indicate that the site is flooded, subject to swift currents, or too wet for planting equipment in both spring and fall of the typical year.
- The site is inaccessible to planting equipment (islands or other remote sites).
- The site is on the unprotected side of levees along major rivers (fourth order stream or greater)
- There are existing mature trees suitable to the planting area, preferably including at least 2

hard mast tree species, within 200 feet of the entire planting site.

Planting Rates and Spacing

General

All stock types: Plantation success is highly correlated with high numbers of seedlings or seed planted. The rates listed below are minimums and cost effective ranges. Exceeding the minimums will likely reduce the need for weed control, speed the establishment of forest cover and improve the ultimate timber value and form of the stand.

Bare root or cuttings: The following planting rates will be used for woody species. Adjust rates within listed ranges for desired objectives, site conditions, maintenance requirements, planting combinations and species needs.

Woody Species	Plant Rate / Acre
Hardwood Trees ¹	436 - 907
Shrubs	1089 - 1742
Conifer Trees	538 - 1210
Biofuels/Biomass	605 - 1210

¹Can include up to 50% conifers

Spacing	Plants /	70% Survival
5 x 5	1742	1219
5 x 8	1089	762
6 x 6	1210	847
6 x 8	907	634
6 x 10	726	508
6 x 12	605	423
7 x 7	889	622
7 x 10	622	435
8 x 8	681	476
8 x 10	544	380
9 x 9	538	376
9 x 10	484	338
10 x 10	436	305
20 x 20	109	76
30 x 30	48	34
40 x 40	28	20

Direct seeding: Use the same rates for all intended products and purposes. Plant a minimum of 3,000 seeds per acre of heavy seeded species (see **Species Selection**) if row planting; 4,800 if broadcast seeding. If there is

not a source of light seeded woody plants within 500 feet of the planting site, add another 1000 seeds per acre of either light or heavy seeded species. See Illinois Direct Seeding Handbook, Appendix A-10 for seed per pound by species. To overcome predation by wildlife, double the seeding rate for the first 100 feet beyond a forest or grassland edge.

The following chart shows row spacing and seed spacing combinations that will result in approximately 3000 seeds per acre:

Row Spacing (feet)	Seed Spacing (feet)
6	2.4
7	2.0
8	1.8
9	1.6
10	1.5
11	1.3
12	1.2
13	1.1
14	1.0
15	1.0
16	0.9
17	0.9
18	0.8

Container: Smaller container stock (>= 7 in³ and <1 gallon) can be planted at the rates listed above for bare root and cuttings. Large (>= 1 gallon) container stock is best suited to sites that have a history of being wet or flooded in spring since they can be effectively planted in fall when bare root seedlings are less available and subject to frost heaving. Large container stock is capable of rapid height growth, allowing it to keep up with fast-growing, light seeded bottomland tree species. Rapid early height growth is important for establishing windbreaks. If natural regeneration is expected to fill in between container trees, plant at 28 trees per acre (approximately 40' X 40'). Adequate fill in natural regeneration is likely to occur on frequently flooded sites with an upstream floodplain dominated by woody vegetation or where a mature forest stand is within 200 feet of the planting site. If the above conditions do not exist,

plant at least 48 trees per acre (approximately 30' X 30').

Balled and Burlapped: See *Energy Conservation, Snow Control and Beautification* below.

Agroforestry

See specific conservation practice standard, ALLEY CROPPING (Practice Code – 311), WINDBREAK/SHELTERBELT ESTABLISHMENT (Practice Code – 380), RIPARIAN FOREST BUFFER (Practice Code – 391).

Christmas Trees

For Christmas tree production a minimum of 1210 plants/acre is recommended. Landowner equipment and objectives must be considered in the planting design and layout.

Wildlife Habitat

For tree species, use any of the minimum planting rates under **Planting Rates and Spacing, General**.

For shrub plantings, use one of the following guidelines:

- Conservation practice standard UPLAND WILDLIFE HABITAT MANAGEMENT (Practice Code – 645)
- Plant a minimum of 1089 plants per acre

Solid shrub plantings are best suited to small well positioned locations within tree plantations and/or along perimeters of tree plantations, property boundaries, or adjacent to agricultural crops and power lines.

For more information regarding direct seeding of shrubs, see Direct Seeding of Shrubs in REFERENCES.

For specialized wildlife planting areas refer to the appropriate conservation practice standard(s) for guidance.

Energy Conservation, Snow Control and Beautification

For energy conservation and snow control, see conservation practice standard WINDBREAK/SHELTERBELT ESTABLISHMENT (Practice Code – 380). For beautification

planting, rates will vary according to the extent of the planting and individual site plans.

Underplanting in Existing Forestland

Establishment of container trees and/or bare root seedlings in a forestland condition often will not require the same planting rate specifications as those for open fields or reforestation plantings. Individual trees or groups of trees may be planted under canopy of existing trees or planted in naturally or artificially created openings within a forest stand.

Planting rates will vary dependent upon existing stand conditions. Suitable species, stock type, location and planting density will be specified in Illinois Job Sheet 612TS, Forest Management Plan or Tree Planting Plan. Plant up to 400 bare root seedlings or up to 28 container trees (>= 1 gallon) per acre. Spacing between two bare root trees will be no closer than 6 feet in any direction. Container trees will be spaced no closer than 30 feet in any direction.

Adapted Species and Selection

Base species selection on soil type, site limitations, landowner objectives, landscape characteristics and geographic location. Refer to conservation practice standards.

For guidance on species selection, refer to Illinois FOTG Section II, CTSG Forestland Interpretations and Windbreak Interpretations; Section IV conservation practice standards UPLAND WILDLIFE HABITAT MANAGEMENT (Practice Code – 645), RIPARIAN FOREST BUFFER (Practice Code – 391), WINDBREAK/SHELTERBELT ESTABLISHMENT (Practice Code – 380) and/or the standard for the conservation practice being planned.

All stock types: Plantation success is highly correlated with increased species diversity. Plant as many different suitable species as possible. For shrub plantations, see conservation practice standard HEDGEROW PLANTING (Practice Code – 422) for recommended species.

Direct seeding: The following species have been successfully established using direct seeding:

Heavy Seeded Species	Light Seeded Species
Black Walnut	Maple
Oak	Basswood
Hickory	Sycamore
Pecan	Sweetgum
Persimmon	Hackberry/Sugarberr
Kentucky Coffeetree	Black Cherry
	Tulip Poplar
	Bald Cypress
	Blackgum

Weed Control

Provide a 2-4 feet diameter competition-free zone around all woody plantings.

If non-living mulches (including weed mats) are used, follow conservation practice standard MULCHING (Practice Code – 484).

If mechanical means are used, care should be taken to avoid physical damage to plantings. Keep tillage depths shallow to avoid root damage.

If herbicides are used, read and follow all label directions and manufacturers recommendations.

Use of living mulches and weed mats may cause an increase in rodent or deer damage to the woody planting.

If living mulches are used, utilize Table 1 of conservation practice standard TREE/SHRUB SITE PREPARATION (Practice Code – 490) to control weed competition.

OPERATION AND MAINTENANCE

Access by vehicles or equipment during or after tree/shrub establishment shall be controlled to protect new plants and minimize erosion, compaction and other site impacts. Refer to conservation practice standard ACCESS CONTROL (Practice Code – 472).

The trees and shrubs will be inspected periodically and protected from adverse impacts including insects, diseases or competing vegetation, fire and damage from livestock or wildlife.

A weed-free area at least 2 feet in all directions from planted or seeded trees and/or shrubs will be

maintained for at least the first 2 full growing seasons after planting.

Competing grass species will continue to be controlled in a 2-foot radius until woody plants are \geq the mature height of competing grasses.

Noxious weeds will be controlled in accordance with conservation practice standard INTEGRATED PEST MANAGEMENT (Practice Code – 595). If mulches are to be used, refer to conservation practice standard MULCHING (Practice Code – 484). If herbicides are to be applied read and follow all label directions and manufacturers recommendations.

Replanting will be required when survival after one growing season is less than 70% of planted materials other than seed.

Natural regeneration sites will be replanted if recruitment and survival after 3 growing seasons is less than 500 evenly distributed seedlings per acre.

Direct seeded sites will be replanted if survival after 2 growing seasons is less than 500 evenly distributed seedlings per acre.

Desirable natural regeneration may be substituted for planted material when equivalent to desired species and planned purpose.

Replant to achieve at least the minimum requirements of the intended purpose or woody species class listed under "Planting Rates and Spacing."

300 trees/acre for basic cover requirements or 70% of the original planting rate when specific plant densities are needed will be maintained for the practice life of all tree/shrub establishment practices unless otherwise stated in specific conservation practice standards. Surviving plants should be evenly distributed over the planting area.

Apply appropriate minerals according to a soil test to a minimum of 15 pounds per acre of phosphorus and 150 pounds per acre of potassium. Adjust pH only when human action has resulted in an unnatural pH. Periodic applications of nutrients may be needed to

maintain plant vigor. If nutrients are applied, refer to conservation practice standard NUTRIENT MANAGEMENT (Practice Code – 590).

Following full establishment of trees/shrubs, refer to conservation practice standards FOREST STAND IMPROVEMENT (Practice Code – 666) and TREE/SHRUB PRUNING (Practice Code – 660) for subsequent management.

REFERENCES

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- A Reference Manual for Herbicide Use in Forest and Conservation Tree Planting and Timber Stand Improvement Projects in Illinois. IL Stewardship Advisory Comm. & Univ. Of IL, 1998.
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- Forestry Handbook, Second Edition: Society of American Foresters. Ronald Press. 1984
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- Oak Regeneration: Serious Problems, Practical Solutions. 1993. GTR-SE-84, USDA-Forest Service, SE For. Exp. Sta., Asheville, NC. 319 pp.
- Seed Biology and Technology of Quercus. 1987. GTR-SO-66. USDA-Forest Service, So. For. Exp. Sta., New Orleans, LA. 21 pp.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
PO BOX 2004 CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

REPLY TO
ATTENTION OF

June 24, 2014

Operations Division

SUBJECT: CEMVR-OD-P-2014-48

Mr. Timothy C. Zahn, P.E.
Sangamon County Engineer
1303 Terminal Avenue
Springfield, Illinois 62707

Dear Mr. Zahn:

Our office reviewed all materials submitted in the application received, January 7, 2014, concerning the proposed bridge replacement (07-13106-01-BR) over Archer Creek on T.R. 197 located 3 miles west of Springfield, Illinois in Section 33, Township 16 North, Range 6 West, Sangamon County in Illinois. The bridge will be relocated approximately 50 feet east of the existing location and 500 feet of stream will be realigned to 420 feet to best fit the new bridge span opening. The old stream channel will be blocked at the upstream end, but the remainder of the existing channel will remain open.

The bridge replacement and stream channel relocation project will meet the criteria specified under Regional Permit 38 (CEMVR-OD-P-2010-1313), if the work is done in accordance with the General and Special Conditions and attached drawings. We are enclosing a copy for your compliance. The Illinois Department of Transportation is responsible for the NEPA process for this project which includes compliance with the Endangered Species Act and the National Historic Preservation Act. The decision regarding this action is based on information found in the administrative record, which documents the District's decision-making process, the basis for the decision, and the final decision. You may initiate work on your project under this Regional Permit upon receipt of this letter.

Our office has completed a Preliminary Jurisdictional Determination concerning your project area. A copy of our Preliminary Jurisdictional Determination is enclosed. A Preliminary Jurisdictional Determination is not appealable. **Please review, sign, date, and return the form to our office.**

If you find that it is necessary to make changes in the plans or work being authorized, you must submit the revised plans to this office for the District Engineer's approval before you begin work.

Also, make certain that you have received all other required Federal, state, and local approvals before beginning work. If you have not already coordinated your project with the Illinois Department of Natural Resources – Office of Water Resources, please contact them at 217/782-3863 to determine if a floodplain development permit is required for your project.

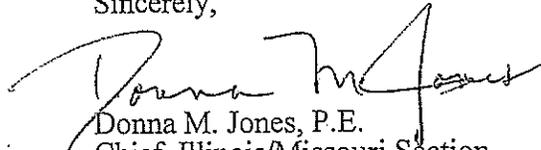
Please notify this office prior to starting and completion of work. You are required to complete and return the enclosed "Complete Work Certification" upon completion of your project. A representative of this office will make an inspection of the work.

The Rock Island District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the attached postcard and return it or go to our Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>. (Be sure to select "Rock Island District" under the area entitled: Which Corps office did you deal with?).

We appreciate the cooperation you have shown during the processing of your permit.

Should you have any questions, please contact our Regulatory Branch by letter or telephone to Mr. Gene Wassenhove at 309-794-5368.

Sincerely,



Donna M. Jones, P.E.
Chief, Illinois/Missouri Section
Regulatory Branch

Enclosures

Copies Furnished:

Mr. Kevin Pierard, Chief
US EPA Region 5 (WW-16J)
Watersheds & Wetlands Branch
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Elston.Sue@epa.gov (email copy)

Mr. Richard C. Nelson
Field Supervisor
U.S. Department of the Interior, Fish and Wildlife Service
Rock Island Field Office (ES)
4469 48th Avenue
Rock Island, Illinois 61201

Mr. Mike Diedrichsen, P.E.
Office of Water Resources
IL Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62701-1271 (w/o enclosures)

Mr. Dan Heacock
Illinois Environmental Protection Agency
Watershed Management Section, Permit Sec. 15
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
Epa.401.bow@illinois.gov (email copy)

Mr. Mark Leighton
Coombe-Bloxdorf, P.C.
755 South Grand Avenue
Springfield, Illinois 62704

**DEPARTMENT OF THE ARMY PERMIT
Regional Permit 38
Fill Material Placed in Waters of the U.S. for Road Crossings
in the State of Illinois**

Permittee: General Public meeting the terms and conditions herein.
Number: CEMVR-OD-P-2010-1313 (Regional Permit 38)
Expiration Date: June 15, 2016
Issuing Office: U.S. Army Corps of Engineers, Rock Island District
Clock Tower Building-P.O. Box 2004
Rock Island, Illinois 61204-2004

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the Commanding Officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

1. Authorized Work.

- A. Current Nationwide Permit Limits:** a. Section 10 and/or 404 activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. b. The discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. Temporary fills, structures, and work necessary to construct the project are permitted provided that suitable materials are utilized, they are placed in a manner to maintain flows and minimize flooding, and they are removed in their entirety and all affected areas are returned to pre-construction elevations. c. The affected area of the stream channel shall not exceed 100 linear feet, as measured along the stream corridor. d. Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10 acre; or (2) there is a discharge in a special aquatic site, including wetlands. No ground disturbing activity is authorized until the district engineer has provided written verification that the proposed activity qualifies for approval under this permit.
- B. Proposed Permit Limits.** a. Activities required for the construction, expansion, modification, or improvement of linear transportation projects that result in impacts of up to 1 acre of waters of the United States. b. Temporary fills for construction are authorized. c. The affected reach of stream must occur within 300 feet upstream and downstream of the centerline of the roadway (existing channel length), with a maximum distance of existing channel length impacted (filled or abandoned) not to exceed 500 feet).

- 2. Project Location.** All waters of the United States in Illinois within the regulatory boundaries of the Rock Island District.

3. Permit Conditions:

A. General Conditions:

1. The time limit for completing the work authorized ends 3 years from the date of each individual project determination. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before that date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party, in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

B. Special Conditions:

1. All work authorized under this regional permit will be in association with bridge, culvert, and roadway construction across waters of the United States.
2. This regional permit is limited to excavation activities and fill material placed in wetlands or below the ordinary high water mark of other waters for bridge and/or culvert construction or replacement associated with bridge and/or culvert removal, or culvert extension. Bridge and/or culvert construction on new alignments must be located within 500 feet of either side of the centerline of existing structures. New bridge, culvert, or roadway alignments must be based upon sound conservation and safety bases.
3. Riprap shall be clean native fieldstone, clean quarry run rock, or appropriately graded clean broken concrete with all reinforcing rods and / or wire cut flush with the surface of the concrete. It shall be the permittee's responsibility to maintain the riprap such that any reinforcement material that becomes exposed in the future is removed, the concrete pieces shall be appropriately graded and no piece shall be larger than 3 feet across the longest flat surface. The width for placing a riprap toe in the streambed will vary depending on the size of the riprap used (see attached drawing). Asphalt, broken concrete containing asphalt, petroleum based material, and items such as car bodies are specifically excluded from this authorization.
4. Material used as temporary fill for access, cofferdams, or other temporary structures required for the construction of highway crossings shall be included in the project plans or specifications shall be clean, appropriately sized material (less than 15% fines passing a Number 200 US sieve) and shall be free of loam, sod, and other deleterious materials.

5. All temporary structures and fill will be removed completely no later than 30 days after they are no longer needed for construction activities. Temporary fill materials, cleared vegetative materials, construction debris, including old bridge materials, and other fill not necessary for meeting the project purpose must be disposed of at an upland area or licensed landfill as appropriate.
6. For projects impacting jurisdictional wetlands or other special aquatic sites, the permittee will provide a mitigation plan for approval which follows the regulations published in the Federal Register dated April 10, 2008 under 33 CFR Parts 325 and 332 and 40 CFR Part 230 entitled "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule". Permittees must take all practicable measures to avoid and minimize impacts to waters of the United States by both temporary and permanent fills. Once such measures are taken, no more than 1 acre of wetland area may be filled in conjunction with each road crossing project. Compensatory wetland mitigation is required at a ratio of 1.5:1 or more if the loss of wetland exceeds 0.10 acre. Mitigation must be adequate to offset unavoidable impacts or losses to regulated waters of the United States. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal: (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., onsite). (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal. (c) For stream and wetland losses of 1/10-acre or less the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. The amount of mitigation required will be determined during review for authorization under this permit as per the mitigation rule requirements. Existing wetland banks may be utilized (where appropriate) to compensate for wetland impacts. Prior to commencing land disturbing activities, the applicant shall submit documentation of the purchase/allocation of mitigation credits from the appropriate wetland bank. Specific mitigation conditions to insure mitigation success will be included on a case by case basis in the authorization letter accompanying this permit.
7. This permit does not authorize construction in environmentally sensitive areas, such as mussel beds, fish spawning areas, waterfowl nesting areas, fens, bogs, seeps, or sedge meadows, etc.
8. Minor stream shaping and channel realignment is authorized where necessary to provide adequate flow conveyance and proper alignment of the channel through the bridge or culvert. Such activities must occur within 300 feet upstream and downstream of the centerline of the pre-existing roadway (existing channel length), with a maximum distance of existing channel length impacted (filled or abandoned) not to exceed 500 feet). Mitigation for stream impacts will follow the Mitigation Rule requirements (referenced in Section 3. B. 6 above). Prospective permittees shall provide a stream mitigation plan with their Department of the Army application. Proposed project designs resulting in reductions in stream length will require applicants to seek foot-for-foot stream length replacement where practicable. If stream loss is determined unavoidable, prospective permittees will provide adequate mitigation to replace lost aquatic functions and values. Such mitigation shall include but is not limited to the following:
 - a. If a side slope of a newly constructed or modified channel is not protected by a suitable structural element, it will be no steeper than 2:1 and planted to permanent, perennial, vegetation or armored.
 - b. Native grass filter strips a minimum of 50 feet in width (measured from the top of the bank landward) shall be established along both sides of the realigned or modified channel unless there is a physical reason for not including one (such as a rock ledge). Filter strip establishment will be considered successful when there is at least 50% aerial coverage of native grasses and forbs in each 100 square foot area. Land ownership is not an acceptable reason for limiting filter strips.

- c. Native trees and/or shrubs shall be planted along both sides of the realigned or modified channel. Replanting rates of trees and/or shrubs will be based on existing pre-project baseline vegetation conditions and the size of the selected tree/shrubs to be replanted. A survival rate of 100% of the replanted species shall be achieved each year for a period of 10 years from the establishment of the tree plantings.
- d. Stream banks shall be stabilized with planted vegetation, riprap, or other suitable permanent bank stabilization measures to the limits of stream bank disturbance. Plantings of native prairie grasses are recommended where appropriate to diversify the stream bank protection.
- e. The proposed channel shall have the same carrying capacity as the existing channel.
- f. If the proposed channel grade is steeper than the grade of the existing channel, grade control structures are required at the upstream and downstream ends of the proposed channel. The downstream slopes of the grade control structures shall be no steeper than 20H: 1V and upstream slopes shall be no steeper than 4H: 1V. All structures must be keyed into the channel bed and banks and must be able to withstand and pass expected high flows. The structures must be V-shaped with the point of the V pointing upstream. The sides of the V must be angled upstream (approximately 30 degrees measured along the shoreline). The center section will be lower in elevation than the outer sections to concentrate flows to the stream middle during periods of low flow. The structures must be submerged at normal stream flow (75% of the year). The structures must be fish passable at all times.
- g. In-stream habitat structures and / or the use of rock riffles may be used to enhance aquatic habitat in the stream stretch modified by stream shaping or channel alignment. In-stream habitat structures should be constructed similar to grade control structures.
- h. In areas where the stream channel is relocated, by-passed meanders must be preserved if they will not be a safety or structural hazard. The preserved meanders will remain as oxbow wetlands or pools.
- i. Any spoil material excavated, dredged or otherwise produced must not be returned to the waterway but must be deposited in a self-contained area in compliance with all state statutes,
- j. Any backfilling must be done with clean material and placed in a manner to prevent violation of applicable water quality standards.
- k. The applicant shall not cause:
 - i. A violation of applicable provisions of the Illinois Environmental Protection Act;
 - ii. Water pollution defined and prohibited by the Illinois Environmental Protection Act;
 - iii. Violation of applicable water quality standards of the Illinois Pollution Control Board, Title 35, Subtitle C: Water Pollution Rules and Regulation; or
 - iv. Interference with water use practices near public recreation areas or water supply intakes.
- l. All areas affected by construction shall be mulched and seeded as soon after construction as possible. The applicant shall undertake necessary measures and procedures to reduce erosion during construction. Interim measures to prevent erosion during construction shall be taken and may include the installation of staked straw bales, sedimentation basins and temporary mulching. All construction within the waterway shall be conducted during zero or low flow conditions. The applicant shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activity associated with the project will result in the disturbance of 1 (one) or more acres, total land area. An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Illinois Environmental Protection Agency's (IEPA) Division of Water Pollution Control, Permit Section.

- m. The applicant shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2010).
- n. Temporary work pads, cofferdams, access roads and other temporary fills shall be constructed of clean coarse aggregate or non-erodible non-earthen fill material that will not cause siltation. Sandbags, pre-fabricated rigid materials, sheet piling, inflatable bladders and fabric lined basins may be used for temporary facilities. Temporary work/fills shall be constructed in a manner to maintain flow in these waters by utilizing dam and pumping, fluming, culverts or other such techniques.
9. Measures must be taken for heavy equipment usage in wetland areas to minimize soil disturbance and compaction. All exposed soils and other fills as well as any work below the ordinary high water mark must be permanently stabilized at the earliest practicable date using permanent native vegetation, bioengineering methods, or armoring.
10. Any excavation or placement of temporary or permanent fill must be performed in a way that would not result in the physical destruction of important fish spawning areas, including smothering of downstream spawning areas via turbidity.
11. Petroleum products, other chemicals, and other unsuitable materials (e.g. trash, debris, asphalt, etc.) will be prevented from entering water bodies, streams, and wetlands.
12. Appropriate soil erosion and sediment control measures must be used and maintained during project construction. Erosion control and sediment control features (i.e. silt fences, silt ditches, silt dikes, silt basins etc.) must be installed to provide continuous control throughout the construction and post construction period as well as the re-vegetation of all disturbed areas upon project completion.
13. Temporary and permanent structures must be installed to maintain low flow conditions and to pass normal and expected high flows.
14. Historic Properties.
- a. In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.
- b. Federal permittees are designated as the lead agencies for their project and should follow their own procedures for complying with the requirements of Section 106 of the NHPA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.
- c. Non-federal permittee's applications must include notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). The applicant shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where a non-Federal applicant has identified historic properties which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has

been completed. Non-federal permittees shall provide all pertinent correspondence with the IHPA documenting compliance.

- d. The district engineer will notify the prospective permittee within 45 days of receipt of a complete application whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA Section 106 consultation is required the non-Federal applicant cannot begin work until Section 106 consultation is completed.
- e. Permittees should be aware that section 110k of the NHPA (16 U.S.C. 16 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

15. Endangered Species.

- a. No activity is authorized under this Regional Permit which is likely to adversely affect the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which will destroy or adversely modify the critical habitat of such species. Federal permittees are designated as the lead agencies for their project and should follow their own procedures for complying with the requirements of the Endangered Species Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. Non-federal permittees shall notify the Corps of Engineers if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the Corps of Engineers that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work.
- b. Authorization of an activity by this regional permit does not authorize the "take" of a threatened or endangered species as defined under the Federal Endangered Species Act. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. Fish and Wildlife Service, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. Fish and Wildlife Service or their World Wide Web page at <http://www.fws.gov/r9endspp/endspp.html> .
- c. Permittees shall provide all appropriate documentation to this district indicating compliance with state and federal threatened and endangered species acts.

16. Water Quality Certification. The conditions listed in the Section 401 Water Quality Certification from the Illinois Environmental Protection Agency dated May 27, 2011, are considered to be part of this regional permit.

17. Permittee Mitigation. When permittee responsible mitigation is deemed appropriate to compensate for stream/wetland impacts, the following conditions will apply:

- Mitigation shall be constructed prior to or concurrent with the construction of the main project. The technical specifications listed in the permittee's mitigation document will be used as a compliance document for construction, monitoring, site protection, etc., of the mitigation plan. However, the information contained in this document is superseded by any additional permit conditions or written specifications provided by the Corps of Engineers. If excavation and construction are completed outside an optimal seeding period, temporary erosion control protection shall be implemented immediately upon completion of excavation and construction and shall be maintained until such time as wetland plantings can be completed during an optimal period. The permanent wetland plantings shall then be completed during the next optimal seeding period.
- The boundaries of mitigation sites shall be identified clearly by the placement of permanent markers.
- If tiling is present in the wetland mitigation site the tile must not detract from the function of the wetland.
- Mitigation sites shall be fenced with a permanent fence if any domestic livestock are to be allowed to graze adjacent areas.
- Your responsibility to complete the required mitigation as set forth in the project details will not be considered fulfilled until you have demonstrated mitigation success and have received written verification from the Corps of Engineers.
- The wetland mitigation site shall be protected from future activities that may interfere with or be detrimental to wetland functions and values.
- An as-built mitigation plan must be submitted to the Corps of Engineers and the Illinois Environmental Protection Agency by December 31 in the year that the mitigation is complete. This information will use GPS coordinates for location information. The as-built plan must include details, plan view drawings, and cross sectional drawings of all excavations and fills at the mitigation site(s). It must also include planting plans, planting lists, and maps showing the locations of all areas that were wetland prior to construction, all areas that are to be created wetland, all preserved stream channel segments, relocated stream channels, all filter strips, all splash basins, and all other structures (including all streambed stabilization structures).
- Annual monitoring reports shall be submitted to the Corps of Engineers by December 31 for at least five years for emergent wetland impacts and at least 10 years for forested wetland impacts following planting. The annual reports must include photos, a map with drawn boundaries indicating exactly what areas are wetland according to the 1987 Corps of Engineers Wetland Delineation Manual (Technical Report Y-87-1), a vegetative cover map of created wetlands indicating dominant species in each vegetative community, and an assessment of wetland hydrology in each vegetative community. The reports must also include assessments of the functionality of each splash basin, rock riffle, and streambed stabilization structure, new stream meandered sections, and aerial coverage calculations of native vegetation within each filter strip area and any corrective actions taken or needed. The results of the reports will be documented annually on the Rock Island District Standard Mitigation Reporting Form available at: <http://www2.mvr.usace.army.mil/Regulatory/> or in an annual progress report as specified in RGL 06-03, <http://www.usace.army.mil/CECW/Documents/cecwo/reg/rqls/rql06-03.pdf>. All annual monitoring reports shall be formatted for 8.5 x 11- inch paper.
- The permittee (in a timely manner) will perform any corrective measures and monitoring deemed necessary by the Corps of Engineers to insure the success of the project (including mitigation). The permittee will assume all liability for accomplishing this corrective work. The corrective actions may include such modifications to the mitigation site as re-grading, re-planting, additional erosion control, etc, or may involve relocating the mitigation to another location. The permittee must accomplish

corrective measures involving re-grading or erosion control within 60 days from the date that they are notified of a need. Deadlines for corrective measures involving re-planting will be determined based on best planting dates. Deadlines for corrective measures involving the relocation of mitigation will be determined by the Corps of Engineers. Corrective action may also involve additional monitoring to ensure success.

- Your responsibility to complete the required compensatory mitigation will not be considered fulfilled until you have demonstrated mitigation success and have received written verification from the Corps of Engineers.
 - Any future development or land-use conversion of the wetland mitigation area for any purpose which may interfere with or be detrimental to wetland functions is prohibited without prior written approval from the Corps of Engineers.
 - Projects with mitigation require recording of the permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property and provide proof of recording to the Corps of Engineers. If the permit cannot be recorded in the manner indicated, the permittee shall provide the Corps of Engineers with documentation of agreements, contracts, etc., demonstrating to the Corps of Engineers' satisfaction that the mitigation site will be protected from future activities that may interfere with or be detrimental to wetland functions and values to a level of assurance equivalent to that provided by the aforementioned recording process.
- C. Best Management Practices.** The project shall employ Best Management Practices (BMPs) to protect water quality, preserve natural hydrology and minimize the overall impacts of development or redevelopment on aquatic resources. BMPs shall be considered at the earliest planning stages of the project. The applicant shall design the project to include the preservation of natural resource features such as floodplains, streams, lakes, steep slopes, significant wildlife areas, wetlands, natural depressions and drainage ways, prairies, woodlands, sensitive aquifers and their recharge areas and native soils. In addition, the design elements utilized by the applicant shall include an appropriate combination of those provided on the list below:
1. Minimize mass grading and disturbance of soils;
 2. Lay out project features to conform to the natural topography of the site;
 3. Minimize new impervious surfaces by minimizing road widths, etc;
 4. Preserve and create natural landscaping, buffers and filter strips;
 5. Utilize permeable areas to maximize infiltration of runoff into the ground through the use of bio-filters, filter strips, swales, infiltration trenches, permeable pavement, native vegetated open spaces and green infrastructure practices;
 6. Improve water quality of storm water leaving the site through the use of a naturalized detention basin designed to maximize the removal and transformation of runoff pollutants. Design should include:
 - a. Emergent vegetation in the bottoms of the wetland basins and along the periphery of wet bottom basins, and side slopes vegetated in native prairie species;
 - b. Stilling basins at detention basin inlets and maximizing the distance between inlets and the basin outlet;
 - c. Installation of pre-settlement or mechanical storm water treatment units prior to discharge of storm water into detention basins;
 - d. In locations where detention basin discharge to adjacent/downstream wetlands, designing detention basin outlet structures to spread and infiltrate runoff through the use of level spreader devices; and
 - e. Maintaining existing flow conditions.

A written narrative shall be included with the pre-construction notification, which describes how the BMP hierarchy above was used in determining the water quality protection practices selected for the project site. BMP(s) may be located in upland buffers adjacent to wetlands and other waters of the

project site. BMP(s) may be located in upland buffers adjacent to wetlands and other waters of the U.S. The narrative shall describe in detail the BMPs that will be utilized and permanently maintained, and the entity responsible for maintenance of the BMPs. A post construction management and monitoring plan will be required for all approved BMPs. The plan shall be designed on a case-by-case basis and shall include performance standards such as the BMPs ability to function as designed, percent coverage of vegetation, stabilized soils, and corrective measures to bring areas into compliance, etc. Each BMP selected shall be part of a coordinated system ("treatment train"), which provides multiple layers of treatment.

Erosion and Sediment Control Plan: Measures shall be taken to control soil erosion and sedimentation at the project site to ensure that sediment is not transported to waters of the U.S. during construction. Soil erosion and sediment control measures shall be implemented before initiating any clearing, grading, excavating or filling activities. All temporary and permanent soil erosion and sediment control measures shall be maintained throughout the construction period and until the site is stabilized. All exposed soil fill activities, and any work below the ordinary high water mark shall be permanently stabilized at the earliest practicable date.

Applicants are required to prepare an erosion and sediment control plan (ESCP). The plan shall implement erosion control measures consistent with the "Illinois Urban Manual" (IEPA/USDA, NRCS; 2010).

For projects that include a discharge to waters for which there is an approved Total Maximum Daily Load (TMDL) allocation for any parameter, including sediment or parameters that address sediment (such as total suspended solids, turbidity, or siltation), that is proposed to be increased, the applicant shall develop an ESCP and BMPs that are consistent with the assumptions and requirements in the approved TMDL. The applicant must incorporate into their ESCP and BMPs any conditions applicable to their discharges necessary for consistency with the assumptions and requirements of the TMDL within any timeframes established in the TMDL. The applicant must carefully document the justifications for all BMP and ESCP selections, and install, implement and maintain the ESCP practices and BMPs that are consistent with all relevant TMDL allocations and with all relevant conditions in an implementation plan.

Further information:

1. **Congressional Authorities:** You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. **Limits of this authorization.**

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. **Limits of 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 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.

4. **Reliance on Applicant's Data.** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below



Shawn P. McGinley
Colonel, U.S. Army
Commander & District Engineer

22 Jun 2011

Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

Transferee

Date



Professional Service Industries, Inc.
 480 North Street
 Springfield, IL 62704
 Telephone: (217) 544-6663
 Fax: (217) 544-6148

LOG OF BORING B-1

Sheet 1 of 2

PSI Job No.: 00201775-1 Project: Old Salem Rd. Structure No. 084-3516 Location: Sangamon County, IL	Drilling Method: Hollow Stem Auger Sampling Method: 2-in SS Hammer Type: Automatic Boring Location: See Attached Boring Location Plan	WATER LEVELS	
		▽ While Drilling	22 feet
		▽ Upon Completion	16 feet
		▽ Delay	N/A

Elevation (feet)	Depth (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA				Additional Remarks
									N in blows/ft		STRENGTH, tsf		
						Moisture, %							
						X Moisture		PL LL					
						▲ Qu		* Qp					
	0					Station: N/A Offset: N/A Surface Elev.: 566 ft							
	0					Bituminous Concrete 6"	Asphalt						
	0					Crushed Limestone Base 3"	Crushed Limestone	2	X				
	5			2	18	Firm, Brown, Slightly Moist to Moist, Silty CLAY, trace Sand (FILL)	CL	3-3-3 N=6	19	⊙	* X		
	5			3	18		CL	3-3-3 N=6	20	⊙	* X		
	10			4	18		CL	2-4-4 N=8	21	⊙	* X	Q _v = 1.6 tsf	
	555			5	18	Firm to Soft, Dark Gray, Moist, Silty CLAY	CL	3-3-4 N=7	25	⊙	* X	Q _v = 1.4 tsf	
	15			6	18		CL	1-1-2 N=3	29	⊙*	X	Q _v = 0.6 tsf	
	550			7	18		CL	WH-WH-WH	32	⊙	* X	Q _v = 0.6 tsf	
	20			8	18		CL	WH-WH-1	22	⊙	* X	Q _v = 0.8 tsf	
	545			9	18	Firm, Gray/Brown, Moist, Sandy CLAY	CL	1-3-5 N=8	25	⊙*	X	Q _v = 0.8 tsf	
	25			10	18	Loose, Gray Clayey, Saturated, Fine to Medium SAND, some Organics	SP	1-1-1 N=2	36	⊙	* X		
	540			11	18	Soft, Gray, Saturated, Sandy CLAY	CL	WH-1-2 N=3	38	⊙*	X	Q _v = 0.6 tsf	
	30			12	18	Soft to Very Stiff, Gray, Moist to Slightly Moist, Silty CLAY	CL	1-2-2 N=4	27	⊙*	X	Q _v = 0.4 tsf	
	535			13	18		CL	WH-WH-3	27	⊙	* X	Q _v = 0.8 tsf	
	530			14	18		CL	2-1-2 N=3	19	⊙	* X	Q _v = 1.2 tsf	
	525			15	18		CL	8-10-12	16	X	⊙*	Q _v = 2.7 tsf	

Continued Next Page

Completion Depth: 83.6 ft	Sample Types:	Shelby Tube	Latitude: 39.7937°
Date Boring Started: 12/17/14	Auger Cutting	Hand Auger	Longitude: -89.7815°
Date Boring Completed: 12/17/14	Split-Spoon	Calif. Sampler	Drill Rig: CME 55
Logged By: Ray Tomlin	Rock Core	Texas Cone	Remarks:
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



Professional Service Industries, Inc.
 480 North Street
 Springfield, IL 62704
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LOG OF BORING B-1

Sheet 2 of 2

PSI Job No.: 00201775-1
 Project: Old Salem Rd. Structure No. 084-3516
 Location: Sangamon County, IL

Drilling Method: Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location: See Attached Boring Location Plan

WATER LEVELS	
▽ While Drilling	22 feet
▽ Upon Completion	16 feet
▽ Delay	N/A

Elevation (feet)	Depth (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
									N in blows/ft	Moisture, %	
520	45					Soft to Very Stiff, Gray, Moist to Slightly Moist, Silty CLAY		N=22			
515	50			16	18		ML	5-6-7 N=13	19	⊗	Q _r = 1.9 tsf
510	55			17	18	Very Stiff, Gray, Moist, Sandy SILT		11-14-12 N=26	20	⊗	Q _r = 3.1 tsf
505	60			18	18	Very Stiff, Gray, Moist, Clayey SILT to Silty CLAY		5-8-10 N=18	19	⊗	Q _r = 1.7 tsf
500	65			19	18			6-7-12 N=19	20	⊗	Q _r = 1.9 tsf
495	70			20	18		CL-ML	7-7-10 N=17	22	⊗	Q _r = 3.1 tsf
490	75			21	18			7-8-10 N=18	26	⊗	Q _r = 1.9 tsf
485	80			22	14	Hard, Dark Gray, Moist, Silty Clay, (TILL)		18-83-100/2'	23	⊗	Q _r = 3.7 tsf
				23	0	Hard, Brown SHALE	SHALE	100/1"		⊗	>>>
						Auger Refusal at -83.6'					

Completion Depth: 83.6 ft	Sample Types:	Shelby Tube	Latitude: 39.7937°
Date Boring Started: 12/17/14	Auger Cutting	Hand Auger	Longitude: -89.7815°
Date Boring Completed: 12/17/14	Split-Spoon	Calif. Sampler	Drill Rig: CME 55
Logged By: Ray Tomlin	Rock Core	Texas Cone	Remarks:
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-2

Sheet 1 of 2

PSI Job No.: 00201775-1	Drilling Method: Hollow Stem Auger	WATER LEVELS ▽ White Drilling 23 feet ▽ Upon Completion N/A ▽ Delay N/A
Project: Old Salem Rd. Structure No. 084-3516	Sampling Method: 2-in SS	
Location: Sangamon County, IL	Hammer Type: Automatic Boring Location: See Attached Boring Location Plan	

Elevation (feet)	Depth (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA				Additional Remarks	
										N in blows/ft		STRENGTH, tsf			
0						Surface Elev.: 566 ft	Bituminous Concrete	Asphalt							
565	0			1	18		Slightly Moist to Moist, Brown, Firm, Silty CLAY, some bricks, cinders (FILL)		4-3-3 N=6	22	⊗	×			
	5			2	18			CL	4-3-4 N=7	12	⊗	×	*		
560				3	18				4-3-2 N=5	24	⊗	*	×		
	10			4	18				3-3-3 N=6	24	⊗	*	×		
555				5	18				10-12-10 N=22	23		⊗		>>*	
	15			6	18		Very Stiff to Firm, Dark Brown, Moist, Silty CLAY to Clayey SILT		2-2-3 N=5	29	⊗	*	×		
550				7	18			CL-ML	WH-WH-2	29	⊗	*	×		Q _v = 0.6 tsf
	20			8	18				WH-2-2 N=4	24	⊗	*	×		Q _v = 0.8 tsf
545				9	18		Firm, Brown/Gray, Moist, Silty CLAY, some Sand	CL	WH-WH-3	27	⊗	*	×		Q _v = 0.6 tsf
	25			10	18		Soft, Gray, Saturated, Clayey SILT		WH-WH-2	31	⊗	*	×		Q _v = 0.6 tsf
540				11	18				WH-WH-WH	33	⊗	*	×		Q _v = 0.2 tsf
	30			12	18			ML	WH-WH-2	30	⊗	*	×		Q _v = 0.4 tsf
535				13	18				WH-WH-WH	30	⊗	*	×		Q _v = 0.4 tsf
530				14	18		Soft, Gray, Moist, Clayey SILT, some Sand		WH-WH-WH	22	⊗	*	×		Q _v = 0.4 tsf
525				15	18		Very Stiff, Gray, Slightly Moist, Silty CLAY, trace Sand		5-7-13	15		⊗	×	>>*	Q _v = 3.5 tsf

Continued Next Page

Completion Depth: 85.0 ft	Sample Types:	Shelby Tube	Latitude: 39.7937°
Date Boring Started: 12/18/14	Auger Cutting	Hand Auger	Longitude: -89.7815°
Date Boring Completed: 12/18/14	Split-Spoon	Calif. Sampler	Drill Rig: CME 55
Logged By: Ray Tomlin	Rock Core	Texas Cone	Remarks:
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



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 480 North Street
 Springfield, IL 62704
 Telephone: (217) 544-6663
 Fax: (217) 544-6148

LOG OF BORING B-2

Sheet 2 of 2

PSI Job No.: 00201775-1
 Project: Old Salem Rd. Structure No. 084-3516
 Location: Sangamon County, IL

Drilling Method: Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location: See Attached Boring Location Plan

WATER LEVELS	
▽ While Drilling	23 feet
▽ Upon Completion	N/A
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
520	45						Very Stiff, Gray, Slightly Moist, Silty CLAY, trace Sand	CL	N=20			
515	50			16	18			CL	20-19-20 N=39	16	X	Q _r = 4.3 tsf
510	55			17	18			CL	4-6-9 N=15	19	X	Q _r = 2.3 tsf
505	60			18	18		Hard, Gray/Brown, Slightly Moist, Silty CLAY	CL	10-14-25 N=39	21	X	Q _r = 7.2 tsf
500	65			19	18			CL	8-12-19 N=31	15	X	Q _r = 6.0 tsf
495	70			20	18		Stiff, Gray, Moist, Silty CLAY	CL	5-6-8 N=14	23	X	Q _r = 1.9 tsf
490	75			21	18			CL	5-6-6 N=12	26	X	Q _r = 0.8 tsf
485	80			22	18		Hard, Gray/Blue Gray, Saturated, Silty CLAY (TILL)	CL	27-20-25 N=45	34	X	
	85			23	0		Hard, Brown SHALE	SHALE	100/1"			
							Auger Refusal at 81.1'					

Completion Depth: 85.0 ft	Sample Types:	Shelby Tube	Latitude: 39.7937°
Date Boring Started: 12/18/14	Auger Cutting	Hand Auger	Longitude: -89.7815°
Date Boring Completed: 12/18/14	Split-Spoon	Calif. Sampler	Drill Rig: CME 55
Logged By: Ray Tomlin	Rock Core	Texas Cone	Remarks:
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



Route T.R. 197
Section 07-13106-01-BR
County Sangamon

Marked Rte. Old Salem Lane
Project No. BROS-0167(054)
Contract No. _____

This plan has been prepared to comply with the provisions of the National Pollutant Discharge Elimination System (NPDES) Permit No. ILR10 (Permit ILR10), issued by the Illinois Environmental Protection Agency (IEPA) for storm water discharges from construction site activities.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Timothy C. Zahrn
Print Name
COUNTY ENGINEER
Title
SANGAMON COUNTY
Agency

TJZ
Signature
12/21/15
Date

I. Site Description:

- A. Provide a description of the project location (include latitude and longitude):
SE 1/4, NW 1/4, Section 33, T.16N., R.6W., 3rd P.M. over Archer Creek. 39°47'36"N, -89°46'53"W
- B. Provide a description of the construction activity which is the subject of this plan:
Remove and replace existing bridge with incidental approach work and channel modification.
- C. Provide the estimated duration of this project:
End of 2015 Construction along with the beginning half of 2016 Construction season, November thru May.
- D. The total area of the construction site is estimated to be 2.3 acres.
The total area of the site estimated to be disturbed by excavation, grading or other activities is 2.1 acres.
- E. The following is a weighted average of the runoff coefficient for this project after construction activities are completed:
0.45
- F. List all soils found within project boundaries. Include map unit name, slope information, and erosivity:
The soil in the project area consists of Lawson silty loam, 0-2% slopes. . Fill material to be utilized is of currently unknown type, but will have to meet all IDOT material standard requirements.
- G. Provide an aerial extent of wetland acreage at the site:
No wetland acreage is present within the project limits.
- H. Provide a description of potentially erosive areas associated with this project:
All areas within the limits of construction are considered potentially erosive.
- I. The following is a description of soil disturbing activities by stages, their locations, and their erosive factors (e.g. steepness of slopes, length of slopes, etc):

Removal and replacement of the existing bridge, construction of proposed embankment and stream channel realignment will be the main sources of soil disturbing activities. The proposed channel will have 2.5:1 slopes and will be treated with riprap in transition and bridge locations and seeded with excelsior blanket above normal high water elevation. The proposed embankment slopes will vary from 3:1 to 2:1 within the existing right-of-way. The proposed drainage daylight into the floodplain areas.

J. See the erosion control plans and/or drainage plans for this contract for information regarding drainage patterns, approximate slopes anticipated before and after major grading activities, locations where vehicles enter or exit the site and controls to prevent offsite sediment tracking (to be added after contractor identifies locations), areas of soil disturbance, the location of major structural and non-structural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters (including wetlands) and locations where storm water is discharged to surface water including wetlands.

K. Identify who owns the drainage system (municipality or agency) this project will drain into:
The drainage flows directly into Archer Creek which is not under any municipal or agency ownership.

L. The following is a list of General NPDES ILR40 permittees within whose reporting jurisdiction this project is located.

M. The following is a list of receiving water(s) and the ultimate receiving water(s) for this site. The location of the receiving waters can be found on the erosion and sediment control plans:

Archer Creek to Spring Creek to Sangamon River to Illinois River to Mississippi River

N. Describe areas of the site that are to be protected or remain undisturbed. These areas may include steep slopes, highly erodible soils, streams, stream buffers, specimen trees, natural vegetation, nature preserves, etc.

All areas within the construction site are to be disturbed by construction activities.

O. The following sensitive environmental resources are associated with this project, and may have the potential to be impacted by the proposed development:

- Floodplain
- Wetland Riparian
- Threatened and Endangered Species
- Historic Preservation
- 303(d) Listed receiving waters for suspended solids, turbidity, or siltation
- Receiving waters with Total Maximum Daily Load (TMDL) for sediment, total suspended solids, turbidity or siltation
- Applicable Federal, Tribal, State or Local Programs
- Other

1. 303(d) Listed receiving waters (fill out this section if checked above):

a. The name(s) of the listed water body, and identification of all pollutants causing impairment:

N/A

b. Provide a description of how erosion and sediment control practices will prevent a discharge of sediment resulting from a storm event equal to or greater than a twenty-five (25) year, twenty-four (24) hour rainfall event:

N/A

c. Provide a description of the location(s) of direct discharge from the project site to the 303(d) water body:

N/A

d. Provide a description of the location(s) of any dewatering discharges to the MS4 and/or water body:

N/A

2. TMDL (fill out this section if checked above)

a. The name(s) of the listed water body:

N/A

b. Provide a description of the erosion and sediment control strategy that will be incorporated into the site design that is consistent with the assumptions and requirements of the TMDL:

N/A

c. If a specific numeric waste load allocation has been established that would apply to the project's discharges, provide a description of the necessary steps to meet that allocation:

N/A

P. The following pollutants of concern will be associated with this construction project:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Soil Sediment | <input checked="" type="checkbox"/> Petroleum (gas, diesel, oil, kerosene, hydraulic oil / fluids) |
| <input checked="" type="checkbox"/> Concrete | <input checked="" type="checkbox"/> Antifreeze / Coolants |
| <input checked="" type="checkbox"/> Concrete Truck Waste | <input checked="" type="checkbox"/> Waste water from cleaning construction equipment |
| <input checked="" type="checkbox"/> Concrete Curing Compounds | <input type="checkbox"/> Other (specify) |
| <input checked="" type="checkbox"/> Solid Waste Debris | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Paints | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Solvents | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Fertilizers / Pesticides | <input type="checkbox"/> Other (specify) |

II. Controls:

This section of the plan addresses the controls that will be implemented for each of the major construction activities described in I.C. above and for all use areas, borrow sites, and waste sites. For each measure discussed, the Contractor will be responsible for its implementation as indicated. The Contractor shall provide to the Resident Engineer a plan for the implementation of the measures indicated. The Contractor, and subcontractors, will notify the Resident Engineer of any proposed changes, maintenance, or modifications to keep construction activities compliant with the Permit ILR10. Each such Contractor has signed the required certification on forms which are attached to, and are a part of, this plan:

A. **Erosion and Sediment Controls:** At a minimum, controls must be coordinated, installed and maintained to:

1. Minimize the amount of soil exposed during construction activity;
2. Minimize the disturbance of steep slopes;
3. Maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration, unless infeasible;
4. Minimize soil compaction and, unless infeasible, preserve topsoil.

B. **Stabilization Practices:** Provided below is a description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans will ensure that existing vegetation is preserved where attainable and disturbed portions of the site will be stabilized. Stabilization practices may include but are not limited to: temporary seeding, permanent seeding, mulching, geotextiles, sodding, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Except as provided below in II(B)(1) and II(B)(2), stabilization measures shall be initiated **immediately** where construction activities have temporarily or permanently ceased, but in no case more than **one (1) day** after the construction activity in that portion of the site has temporarily or permanently ceases on all disturbed portions of the site where construction will not occur for a period of fourteen (14) or more calendar days.

1. Where the initiation of stabilization measures is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.
2. On areas where construction activity has temporarily ceased and will resume after fourteen (14) days, a temporary stabilization method can be used.

The following stabilization practices will be used for this project:

- | | |
|---|--|
| <input type="checkbox"/> Preservation of Mature Vegetation | <input checked="" type="checkbox"/> Erosion Control Blanket / Mulching |
| <input checked="" type="checkbox"/> Vegetated Buffer Strips | <input type="checkbox"/> Sodding |

- | | |
|---|---|
| <input checked="" type="checkbox"/> Protection of Trees | <input type="checkbox"/> Geotextiles |
| <input checked="" type="checkbox"/> Temporary Erosion Control Seeding | <input checked="" type="checkbox"/> Other (specify) Tree Planting |
| <input type="checkbox"/> Temporary Turf (Seeding, Class 7) | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Temporary Mulching | <input type="checkbox"/> Other (specify) |
| <input checked="" type="checkbox"/> Permanent Seeding | <input type="checkbox"/> Other (specify) |

Describe how the stabilization practices listed above will be utilized during construction:

Vegetated Buffer Strips shall be placed as shown on the plans and shall be done according to applicable portions of NRCS Conservation Practice Standard Code 342 and Section 250 of the IDOT Standard Specifications for Road & Bridge Construction.

Erosion Control Blankets shall be placed as shown on the plans and shall be done according to applicable portions of NRCS Conservation Practice Standard Code 342 and Section 250 of the IDOT Standard Specifications for Road & Bridge Construction.

Protection of Trees shall be performed according to the Special Provisions of the plans and as directed by the Engineer.

Temporary Erosion Control Seeding prior to Tree Planting shall be placed as shown on the plans according to Special Provisions and applicable portions of NRCS Conservation Practice Standard Code 490 and Section 250 of the IDOT Standard Specifications for Road & Bridge Construction.

Describe how the stabilization practices listed above will be utilized after construction activities have been completed:

Seeding (Special) shall be placed as shown on the plans according to the Special Provisions and shall be done according to applicable portions of NRCS Conservation Practice Standard Code 342 and Section 250 of the IDOT Standard Specifications for Road & Bridge Construction.

Seeding Class 2 (Special) shall be placed as shown on the plans and shall be done according to applicable portions of Section 250 of the IDOT Standard Specifications for Road & Bridge Construction.

Tree Planting (Special) shall be done as shown on the plans according to the Special Provisions and shall be done according to applicable portions of NRCS Conservation Practice Standard Code 612 and Section 253 of the IDOT Standard Specifications for Road & Bridge Construction.

- C. **Structural Practices:** Provided below is a description of structural practices that will be implemented, to the degree attainable, to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include but are not limited to: perimeter erosion barrier, earth dikes, drainage swales, sediment traps, ditch checks, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. The installation of these devices may be subject to Section 404 of the Clean Water Act.

The following structural practices will be used for this project:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Perimeter Erosion Barrier | <input type="checkbox"/> Rock Outlet Protection |
| <input type="checkbox"/> Temporary Ditch Check | <input checked="" type="checkbox"/> Riprap |
| <input type="checkbox"/> Storm Drain Inlet Protection | <input type="checkbox"/> Gabions |
| <input type="checkbox"/> Sediment Trap | <input type="checkbox"/> Slope Mattress |
| <input type="checkbox"/> Temporary Pipe Slope Drain | <input type="checkbox"/> Retaining Walls |
| <input type="checkbox"/> Temporary Sediment Basin | <input type="checkbox"/> Slope Walls |
| <input type="checkbox"/> Temporary Stream Crossing | <input type="checkbox"/> Concrete Revetment Mats |
| <input type="checkbox"/> Stabilized Construction Exits | <input type="checkbox"/> Level Spreaders |
| <input type="checkbox"/> Turf Reinforcement Mats | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Permanent Check Dams | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Permanent Sediment Basin | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Aggregate Ditch | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Paved Ditch | <input type="checkbox"/> Other (specify) |

Describe how the structural practices listed above will be utilized during construction:

Perimeter Erosion Barrier shall be placed as shown on the plans and shall be done according to applicable portions of Section 280 of the IDOT Standard Specifications for Road & Bridge Construction.

Describe how the structural practices listed above will be utilized after construction activities have been completed:

Stone Riprap, Class A4 (Special) shall be placed as shown on the plans according to the Special Provisions and shall be done according to applicable portions of Section 281 of the IDOT Standard Specifications for Road & Bridge Construction.

D. Treatment Chemicals

Will polymer flocculants or treatment chemicals be utilized on this project: Yes No

If yes above, identify where and how polymer flocculants or treatment chemicals will be utilized on this project.

E. Permanent Storm Water Management Controls: Provided below is a description of measures that will be installed during the construction process to control volume and pollutants in storm water discharges that will occur after construction operations have been completed. The installation of these devices may be subject to Section 404 of the Clean Water Act.

1. Such practices may include but are not limited to: storm water detention structures (including wet ponds), storm water retention structures, flow attenuation by use of open vegetated swales and natural depressions, infiltration of runoff on site, and sequential systems (which combine several practices).

The practices selected for implementation were determined on the basis of the technical guidance in Chapter 41 (Construction Site Storm Water Pollution Control) of the IDOT Bureau of Design and Environment Manual. If practices other than those discussed in Chapter 41 are selected for implementation or if practices are applied to situations different from those covered in Chapter 41, the technical basis for such decisions will be explained below.

2. Velocity dissipation devices will be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. maintenance of hydrologic conditions such as the hydroperiod and hydrodynamics present prior to the initiation of construction activities).

Description of permanent storm water management controls:

N/A

F. Approved State or Local Laws: The management practices, controls and provisions contained in this plan will be in accordance with IDOT specifications, which are at least as protective as the requirements contained in the Illinois Environmental Protection Agency's Illinois Urban Manual. Procedures and requirements specified in applicable sediment and erosion site plans or storm water management plans approved by local officials shall be described or incorporated by reference in the space provided below. Requirements specified in sediment and erosion site plans, site permits, storm water management site plans or site permits approved by local officials that are applicable to protecting surface water resources are, upon submittal of an NOI, to be authorized to discharge under the Permit ILR10 incorporated by reference and are enforceable under this permit even if they are not specifically included in the plan.

Description of procedures and requirements specified in applicable sediment and erosion site plans or storm water management plans approved by local officials:

N/A All erosion control measures were taken according to NRCS and IDOT specifications and policy.

G. Contractor Required Submittals: Prior to conducting any professional services at the site covered by this plan, the Contractor and each subcontractor responsible for compliance with the permit shall submit to the Resident Engineer a Contractor Certification Statement, BDE 2342a.

1. The Contractor shall provide a construction schedule containing an adequate level of detail to show major activities with implementation of pollution prevention BMPs, including the following items:

- Approximate duration of the project, including each stage of the project
 - Rainy season, dry season, and winter shutdown dates
 - Temporary stabilization measures to be employed by contract phases
 - Mobilization timeframe
 - Mass clearing and grubbing/roadside clearing dates
 - Deployment of Erosion Control Practices
 - Deployment of Sediment Control Practices (including stabilized construction entrances/exits)
 - Deployment of Construction Site Management Practices (including concrete washout facilities, chemical storage, refueling locations, etc.)
 - Paving, saw-cutting, and any other pavement related operations
 - Major planned stockpiling operations
 - Timeframe for other significant long-term operations or activities that may plan non-storm water discharges such as dewatering, grinding, etc.
 - Permanent stabilization activities for each area of the project
2. The Contractor and each subcontractor shall provide, as an attachment to their signed Contractor Certification Statement, a discussion of how they will comply with the requirements of the permit in regard to the following items and provide a graphical representation showing location and type of BMPs to be used when applicable:
- Vehicle Entrances and Exits – Identify type and location of stabilized construction entrances and exits to be used and how they will be maintained.
 - Material Delivery, Storage and Use – Discuss where and how materials including chemicals, concrete curing compounds, petroleum products, etc. will be stored for this project.
 - Stockpile Management – Identify the location of both on-site and off-site stockpiles. Discuss what BMPs will be used to prevent pollution of storm water from stockpiles.
 - Waste Disposal – Discuss methods of waste disposal that will be used for this project.
 - Spill Prevention and Control – Discuss steps that will be taken in the event of a material spill (chemicals, concrete curing compounds, petroleum, etc.)
 - Concrete Residuals and Washout Wastes – Discuss the location and type of concrete washout facilities to be used on this project and how they will be signed and maintained.
 - Litter Management – Discuss how litter will be maintained for this project (education of employees, number of dumpsters, frequency of dumpster pick-up, etc.).
 - Vehicle and Equipment Fueling – Identify equipment fueling locations for this project and what BMPs will be used to ensure containment and spill prevention.
 - Vehicle and Equipment Cleaning and Maintenance – Identify where equipment cleaning and maintenance locations for this project and what BMPs will be used to ensure containment and spill prevention.
 - Dewatering Activities – Identify the controls which will be used during dewatering operations to ensure sediments will not leave the construction site.
 - Polymer Flocculants and Treatment Chemicals – Identify the use and dosage of treatment chemicals and provide the Resident Engineer with Material Safety Data Sheets. Describe procedures on how the chemicals will be used and identify who will be responsible for the use and application of these chemicals. The selected individual must be trained on the established procedures.
 - Additional measures indicated in the plan.

III. Maintenance:

When requested by the Contractor, the Resident Engineer will provide general maintenance guides to the Contractor for the practices associated with this project. The following additional procedures will be used to maintain, in good and effective operating conditions, the vegetation, erosion and sediment control measures and other protective measures identified in this plan. It will be the Contractor's responsibility to attain maintenance guidelines for any manufactured BMPs which are to be installed and maintained per manufacture's specifications.

All aspects of the Storm Water Pollution Prevention Plan will be completed and maintained according to the procedures and methods set forth in the NRCS Conservation Practice Standards included in the construction bid documents and the IDOT Standard Specifications for Road & Bridge Construction except those directly described in the contract special provisions and detailed in the plans.

IV. Inspections:

Qualified personnel shall inspect disturbed areas of the construction site which have not yet been finally stabilized, structural control measures, and locations where vehicles and equipment enter and exit the site using IDOT Storm Water Pollution Prevention Plan Erosion Control Inspection Report (BC 2259). Such inspections shall be conducted at least once every seven (7) calendar days and within twenty-four (24) hours of the end of a storm or by the end of the following business or work day that is 0.5 inch or greater or equivalent snowfall.

Inspections may be reduced to once per month when construction activities have ceased due to frozen conditions. Weekly inspections will recommence when construction activities are conducted, or if there is 0.5" or greater rain event, or a discharge due to snowmelt occurs.

If any violation of the provisions of this plan is identified during the conduct of the construction work covered by this plan, the Resident Engineer shall notify the appropriate IEPA Field Operations Section office by email at: epa.swnoncomp@illinois.gov, telephone or fax within twenty-four (24) hours of the incident. The Resident Engineer shall then complete and submit an "Incidence of Non-Compliance" (ION) report for the identified violation within five (5) days of the incident. The Resident Engineer shall use forms provided by IEPA and shall include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted from the noncompliance. All reports of non-compliance shall be signed by a responsible authority in accordance with Part VI. G of the Permit ILR10.

The Incidence of Non-Compliance shall be mailed to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Attn: Compliance Assurance Section
1021 North Grand East
Post Office Box 19276
Springfield, Illinois 62794-9276

Additional Inspections Required:

V. Failure to Comply:

Failure to comply with any provisions of this Storm Water Pollution Prevention Plan will result in the implementation of a National Pollutant Discharge Elimination System/Erosion and Sediment Control Deficiency Deduction against the Contractor and/or penalties under the Permit ILR10 which could be passed on to the Contractor.

State of Illinois
Department of Transportation
Bureau of Local Roads and Streets

SPECIAL PROVISION
FOR
INSURANCE

Effective: February 1, 2007
Revised: August 1, 2007

All references to Sections or Articles in this specification shall be construed to mean specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

The Contractor shall name the following entities as additional insured under the Contractor's general liability insurance policy in accordance with Article 107.27:

Sangamon County

Gardner Road District

The entities listed above and their officers, employees, and agents shall be indemnified and held harmless in accordance with Article 107.26.

State of Illinois
Department of Transportation
Bureau of Local Roads and Streets
SPECIAL PROVISION
FOR
CONSTRUCTION AND MAINTENANCE SIGNS

Effective: January 1, 2004
Revised: June 1, 2007

All references to Sections or Articles in this specification shall be construed to mean a specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation.

701.14. Signs. Add the following paragraph to Article 701.14:

All warning signs shall have minimum dimensions of 1200 mm x 1200 mm (48" x 48") and have a black legend on a fluorescent orange reflectorized background, meeting, as a minimum, Type AP reflectivity requirements of Table 1091-2 in Article 1091.02.

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION (BDE)

Effective: September 1, 2000

Revised: January 2, 2016

FEDERAL OBLIGATION. The Department of Transportation, as a recipient of federal financial assistance, is required to take all necessary and reasonable steps to ensure nondiscrimination in the award and administration of contracts. Consequently, the federal regulatory provisions of 49 CFR Part 26 apply to this contract concerning the utilization of disadvantaged business enterprises. For the purposes of this Special Provision, a disadvantaged business enterprise (DBE) means a business certified by the Department in accordance with the requirements of 49 CFR Part 26 and listed in the Illinois Unified Certification Program (IL UCP) DBE Directory.

STATE OBLIGATION. This Special Provision will also be used by the Department to satisfy the requirements of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, 30 ILCS 575. When this Special Provision is used to satisfy state law requirements on 100 percent state-funded contracts, the federal government has no involvement in such contracts (not a federal-aid contract) and no responsibility to oversee the implementation of this Special Provision by the Department on those contracts. DBE participation on 100 percent state-funded contracts will not be credited toward fulfilling the Department's annual overall DBE goal required by the US Department of Transportation to comply with the federal DBE program requirements.

CONTRACTOR ASSURANCE. The Contractor makes the following assurance and agrees to include the assurance in each subcontract that the Contractor signs with a subcontractor.

The Contractor, subrecipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of contracts funded in whole or in part with federal or state funds. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (a) Withholding progress payments;
- (b) Assessing sanctions;
- (c) Liquidated damages; and/or
- (d) Disqualifying the Contractor from future bidding as non-responsible.

OVERALL GOAL SET FOR THE DEPARTMENT. As a requirement of compliance with 49 CFR Part 26, the Department has set an overall goal for DBE participation in its federally assisted contracts. That goal applies to all federal-aid funds the Department will expend in its federally assisted contracts for the subject reporting fiscal year. The Department is required to make a

good faith effort to achieve the overall goal. The dollar amount paid to all approved DBE companies performing work called for in this contract is eligible to be credited toward fulfillment of the Department's overall goal.

CONTRACT GOAL TO BE ACHIEVED BY THE CONTRACTOR. This contract includes a specific DBE utilization goal established by the Department. The goal has been included because the Department has determined that the work of this contract has subcontracting opportunities that may be suitable for performance by DBE companies. The determination is based on an assessment of the type of work, the location of the work, and the availability of DBE companies to do a part of the work. The assessment indicates that, in the absence of unlawful discrimination, and in an arena of fair and open competition, DBE companies can be expected to perform 8.00% of the work. This percentage is set as the DBE participation goal for this contract. Consequently, in addition to the other award criteria established for this contract, the Department will only award this contract to a bidder who makes a good faith effort to meet this goal of DBE participation in the performance of the work. A bidder makes a good faith effort for award consideration if either of the following is done in accordance with the procedures set for in this Special Provision:

- (a) The bidder documents that enough DBE participation has been obtained to meet the goal or,
- (b) The bidder documents that a good faith effort has been made to meet the goal, even though the effort did not succeed in obtaining enough DBE participation to meet the goal.

DBE LOCATOR REFERENCES. Bidders shall consult the IL UCP DBE Directory as a reference source for DBE-certified companies. In addition, the Department maintains a letting and item specific DBE locator information system whereby DBE companies can register their interest in providing quotes on particular bid items advertised for letting. Information concerning DBE companies willing to quote work for particular contracts may be obtained by contacting the Department's Bureau of Small Business Enterprises at telephone number (217) 785-4611, or by visiting the Department's website at:

<http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>.

BIDDING PROCEDURES. Compliance with this Special Provision is required prior to the award of the contract and the failure of the low bidder to comply will render the bid not responsive.

In order to assure the timely award of the contract, the low bidder shall submit:

- (a) The bidder shall submit a Disadvantaged Business Utilization Plan on completed Department forms SBE 2025 and 2026.
 - (1) The final Utilization Plan must be submitted within five calendar days after the date of the letting.

- (2) To meet the five day requirement, the bidder may send the Utilization Plan electronically by scanning and sending to DOT.DBE.UP@illinois.gov or faxing to (217) 785-1524. The subject line must include the bid Item Number and the Letting date. The Utilization Plan should be sent as one .pdf file, rather than multiple files and emails for the same Item Number. It is the responsibility of the bidder to obtain confirmation of email or fax delivery.

Alternatively, the Utilization Plan may be sent by certified mail or delivery service within the five calendar day period. If a question arises concerning the mailing date of a Utilization Plan, the mailing date will be established by the U.S. Postal Service postmark on the original certified mail receipt from the U.S. Postal Service or the receipt issued by a delivery service. It is the responsibility of the bidder to ensure the postmark or receipt date is affixed within the five days if the bidder intends to rely upon mailing or delivery to satisfy the submission day requirement. The Utilization Plan is to be submitted to:

Illinois Department of Transportation
Bureau of Small Business Enterprises
Contract Compliance Section
2300 South Dirksen Parkway, Room 319
Springfield, Illinois 62764

The Department will not accept a Utilization Plan if it does not meet the five day submittal requirement and the bid will be declared not responsive. In the event the bid is declared not responsive due to a failure to submit a Utilization Plan or failure to comply with the bidding procedures set forth herein, the Department may elect to cause the forfeiture of the penal sum of the bidder's proposal guaranty, and may deny authorization to bid the project if re-advertised for bids. The Department reserves the right to invite any other bidder to submit a Utilization Plan at any time for award consideration or to extend the time for award.

- (b) The Utilization Plan shall indicate that the bidder either has obtained sufficient DBE participation commitments to meet the contract goal or has not obtained enough DBE participation commitments in spite of a good faith effort to meet the goal. The Utilization Plan shall further provide the name, telephone number, and telefax number of a responsible official of the bidder designated for purposes of notification of Utilization Plan approval or disapproval under the procedures of this Special Provision.
- (c) The Utilization Plan shall include a DBE Participation Commitment Statement, Department form SBE 2025, for each DBE proposed for the performance of work to achieve the contract goal. For bidding purposes, submission of the completed SBE 2025 forms, signed by the DBEs and scanned or faxed to the bidder will be acceptable as long as the original is available and provided upon request. All elements of information indicated on the said form shall be provided, including but not limited to the following:

- (1) The names and addresses of DBE firms that will participate in the contract;
- (2) A description, including pay item numbers, of the work each DBE will perform;
- (3) The dollar amount of the participation of each DBE firm participating. The dollar amount of participation for identified work shall specifically state the quantity, unit price, and total subcontract price for the work to be completed by the DBE. If partial pay items are to be performed by the DBE, indicate the portion of each item, a unit price where appropriate and the subcontract price amount;
- (4) DBE Participation Commitment Statements, form SBE 2025, signed by the bidder and each participating DBE firm documenting the commitment to use the DBE subcontractors whose participation is submitted to meet the contract goal;
- (5) If the bidder is a joint venture comprised of DBE companies and non-DBE companies, the Utilization Plan must also include a clear identification of the portion of the work to be performed by the DBE partner(s); and,
- (6) If the contract goal is not met, evidence of good faith efforts; the documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor is selected over a DBE for work on the contract.

GOOD FAITH EFFORT PROCEDURES. The contract will not be awarded until the Utilization Plan submitted by the apparent successful bidder is approved. All information submitted by the bidder must be complete, accurate and adequately document that enough DBE participation has been obtained or document that good faith efforts of the bidder, in the event enough DBE participation has not been obtained, before the Department will commit to the performance of the contract by the bidder. The Utilization Plan will be approved by the Department if the Utilization Plan documents sufficient commercially useful DBE work to meet the contract goal or the bidder submits sufficient documentation of a good faith effort to meet the contract goal pursuant to 49 CFR Part 26, Appendix A. The Utilization Plan will not be approved by the Department if the Utilization Plan does not document sufficient DBE participation to meet the contract goal unless the apparent successful bidder documented in the Utilization Plan that it made a good faith effort to meet the goal. This means that the bidder must show that all necessary and reasonable steps were taken to achieve the contract goal. Necessary and reasonable steps are those which, by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not successful. The Department will consider the quality, quantity, and intensity of the kinds of efforts that the bidder has made. Mere *pro forma* efforts, in other words, efforts done as a matter of form, are not good faith efforts; rather, the bidder is expected to have taken genuine efforts that would be reasonably expected of a bidder actively and aggressively trying to obtain DBE participation sufficient to meet the contract goal.

- (a) The following is a list of types of action that the Department will consider as part of the evaluation of the bidder's good faith efforts to obtain participation. These listed factors

are not intended to be a mandatory checklist and are not intended to be exhaustive. Other factors or efforts brought to the attention of the Department may be relevant in appropriate cases, and will be considered by the Department.

- (1) Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBE companies that have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBE companies to respond to the solicitation. The bidder must determine with certainty if the DBE companies are interested by taking appropriate steps to follow up initial solicitations.
- (2) Selecting portions of the work to be performed by DBE companies in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime Contractor might otherwise prefer to perform these work items with its own forces.
- (3) Providing interested DBE companies with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
- (4) a. Negotiating in good faith with interested DBE companies. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBE companies that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBE companies to perform the work.

b. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBE companies is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also the ability or desire of a bidder to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Bidders are not, however, required to accept higher quotes from DBE companies if the price difference is excessive or unreasonable. In accordance with subsection (c)(6) of the above Bidding Procedures, the documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

- (5) Not rejecting DBE companies as being unqualified without sound reasons based on a thorough investigation of their capabilities. The bidder's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the bidder's efforts to meet the project goal.
 - (6) Making efforts to assist interested DBE companies in obtaining bonding, lines of credit, or insurance as required by the recipient or Contractor.
 - (7) Making efforts to assist interested DBE companies in obtaining necessary equipment, supplies, materials, or related assistance or services.
 - (8) Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBE companies.
- (b) If the Department determines that the apparent successful bidder has made a good faith effort to secure the work commitment of DBE companies to meet the contract goal, the Department will award the contract provided that it is otherwise eligible for award. If the Department determines that the bidder has failed to meet the requirements of this Special Provision or that a good faith effort has not been made, the Department will notify the responsible company official designated in the Utilization Plan that the bid is not responsive. The notification shall include a statement of reasons for the determination. If the Utilization Plan is not approved because it is deficient as a technical matter, unless waived by the Department, the bidder will be notified and will be allowed no more than a five calendar day period in order to cure the deficiency.
- (c) The bidder may request administrative reconsideration of a determination adverse to the bidder within the five working days after the receipt of the notification date of the determination by delivering the request to the Department of Transportation, Bureau of Small Business Enterprises, Contract Compliance Section, 2300 South Dirksen Parkway, Room 319, Springfield, Illinois 62764 (Telefax: (217) 785-1524). Deposit of the request in the United States mail on or before the fifth business day shall not be deemed delivery. The determination shall become final if a request is not made and delivered. A request may provide additional written documentation or argument concerning the issues raised in the determination statement of reasons, provided the documentation and arguments address efforts made prior to submitting the bid. The request will be forwarded to the Department's Reconsideration Officer. The Reconsideration Officer will extend an opportunity to the bidder to meet in person in order to consider all issues of documentation and whether the bidder made a good faith effort to meet the goal. After the review by the Reconsideration Officer, the bidder will be sent a written decision within ten working days after receipt of the request for consideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. A final decision by the Reconsideration

Officer that a good faith effort was made shall approve the Utilization Plan submitted by the bidder and shall clear the contract for award. A final decision that a good faith effort was not made shall render the bid not responsive.

CALCULATING DBE PARTICIPATION. The Utilization Plan values represent work anticipated to be performed and paid for upon satisfactory completion. The Department is only able to count toward the achievement of the overall goal and the contract goal the value of payments made for the work actually performed by DBE companies. In addition, a DBE must perform a commercially useful function on the contract to be counted. A commercially useful function is generally performed when the DBE is responsible for the work and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. The Department and Contractor are governed by the provisions of 49 CFR Part 26.55(c) on questions of commercially useful functions as it affects the work. Specific counting guidelines are provided in 49 CFR Part 26.55, the provisions of which govern over the summary contained herein.

- (a) DBE as the Contractor: 100 percent goal credit for that portion of the work performed by the DBE's own forces, including the cost of materials and supplies. Work that a DBE subcontracts to a non-DBE does not count toward the DBE goals.
- (b) DBE as a joint venture Contractor: 100 percent goal credit for that portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work performed by the DBE's own forces.
- (c) DBE as a subcontractor: 100 percent goal credit for the work of the subcontract performed by the DBE's own forces, including the cost of materials and supplies, excluding the purchase of materials and supplies or the lease of equipment by the DBE subcontractor from the prime Contractor or its affiliates. Work that a DBE subcontractor in turn subcontracts to a non-DBE does not count toward the DBE goal.
- (d) DBE as a trucker: 100 percent goal credit for trucking participation provided the DBE is responsible for the management and supervision of the entire trucking operation for which it is responsible. At least one truck owned, operated, licensed, and insured by the DBE must be used on the contract. Credit will be given for the following:
 - (1) The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract.
 - (2) The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission is receives as a result of the lease arrangement.
- (e) DBE as a material supplier:

- (1) 60 percent goal credit for the cost of the materials or supplies purchased from a DBE regular dealer.
- (2) 100 percent goal credit for the cost of materials of supplies obtained from a DBE manufacturer.
- (3) 100 percent credit for the value of reasonable fees and commissions for the procurement of materials and supplies if not a DBE regular dealer or DBE manufacturer.

CONTRACT COMPLIANCE. Compliance with this Special Provision is an essential part of the contract. The Department is prohibited by federal regulations from crediting the participation of a DBE included in the Utilization Plan toward either the contract goal or the Department's overall goal until the amount to be applied toward the goals has been paid to the DBE. The following administrative procedures and remedies govern the compliance by the Contractor with the contractual obligations established by the Utilization Plan. After approval of the Utilization Plan and award of the contract, the Utilization Plan and individual DBE Participation Statements become part of the contract. If the Contractor did not succeed in obtaining enough DBE participation to achieve the advertised contract goal, and the Utilization Plan was approved and contract awarded based upon a determination of good faith, the total dollar value of DBE work calculated in the approved Utilization Plan as a percentage of the awarded contract value shall become the amended contract goal. All work indicated for performance by an approved DBE shall be performed, managed, and supervised by the DBE executing the DBE Participation Commitment Statement.

- (a) NO AMENDMENT. No amendment to the Utilization Plan may be made without prior written approval from the Department's Bureau of Small Business Enterprises. All requests for amendment to the Utilization Plan shall be submitted to the Department of Transportation, Bureau of Small Business Enterprises, Contract Compliance Section, 2300 South Dirksen Parkway, Room 319, Springfield, Illinois 62764. Telephone number (217) 785-4611. Telefax number (217) 785-1524.
- (b) CHANGES TO WORK. Any deviation from the DBE condition-of-award or contract plans, specifications, or special provisions must be approved, in writing, by the Department as provided elsewhere in the Contract. The Contractor shall notify affected DBEs in writing of any changes in the scope of work which result in a reduction in the dollar amount condition-of-award to the contract. Where the revision includes work committed to a new DBE subcontractor, not previously involved in the project, then a Request for Approval of Subcontractor, Department form BC 260A or AER 260A, must be signed and submitted. If the commitment of work is in the form of additional tasks assigned to an existing subcontract, then a new Request for Approval of Subcontractor shall not be required. However, the Contractor must document efforts to assure that the existing DBE subcontractor is capable of performing the additional work and has agreed in writing to the change.

- (c) SUBCONTRACT. The Contractor must provide DBE subcontracts to IDOT upon request. Subcontractors shall ensure that all lower tier subcontracts or agreements with DBEs to supply labor or materials be performed in accordance with this Special Provision.
- (d) ALTERNATIVE WORK METHODS. In addition to the above requirements for reductions in the condition of award, additional requirements apply to the two cases of Contractor-initiated work substitution proposals. Where the contract allows alternate work methods which serve to delete or create underruns in condition of award DBE work, and the Contractor selects that alternate method or, where the Contractor proposes a substitute work method or material that serves to diminish or delete work committed to a DBE and replace it with other work, then the Contractor must demonstrate one of the following:
- (1) That the replacement work will be performed by the same DBE (as long as the DBE is certified in the respective item of work) in a modification of the condition of award; or
 - (2) That the DBE is aware that its work will be deleted or will experience underruns and has agreed in writing to the change. If this occurs, the Contractor shall substitute other work of equivalent value to a certified DBE or provide documentation of good faith efforts to do so; or
 - (3) That the DBE is not capable of performing the replacement work or has declined to perform the work at a reasonable competitive price. If this occurs, the Contractor shall substitute other work of equivalent value to a certified DBE or provide documentation of good faith efforts to do so.
- (e) TERMINATION AND REPLACEMENT PROCEDURES. The Contractor shall not terminate or replace a DBE listed on the approved Utilization Plan, or perform with other forces work designated for a listed DBE except as provided in this Special Provision. The Contractor shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the Contractor obtains the Department's written consent as provided in subsection (a) of this part. Unless Department consent is provided for termination of a DBE subcontractor, the Contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the DBE in the Utilization Plan.

As stated above, the Contractor shall not terminate or replace a DBE subcontractor listed in the approved Utilization Plan without prior written consent. This includes, but is not limited to, instances in which the Contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm. Written consent will be granted only if the Bureau of Small Business Enterprises agrees, for reasons stated in its concurrence document, that the Contractor has good cause to terminate or replace the DBE firm. Before transmitting to the Bureau of Small Business Enterprises any request to terminate and/or substitute a DBE subcontractor, the Contractor shall give notice in writing to the DBE subcontractor,

with a copy to the Bureau, of its intent to request to terminate and/or substitute, and the reason for the request. The Contractor shall give the DBE five days to respond to the Contractor's notice. The DBE so notified shall advise the Bureau and the Contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why the Bureau should not approve the Contractor's action. If required in a particular case as a matter of public necessity, the Bureau may provide a response period shorter than five days.

For purposes of this paragraph, good cause includes the following circumstances:

- (1) The listed DBE subcontractor fails or refuses to execute a written contract;
- (2) The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
- (3) The listed DBE subcontractor fails or refuses to meet the prime Contractor's reasonable, nondiscriminatory bond requirements;
- (4) The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
- (5) The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant 2 CFR Parts 180, 215 and 1200 or applicable state law.
- (6) You have determined that the listed DBE subcontractor is not a responsible contractor;
- (7) The listed DBE subcontractor voluntarily withdraws from the projects and provides to you written notice of its withdrawal;
- (8) The listed DBE is ineligible to receive DBE credit for the type of work required;
- (9) A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract;
- (10) Other documented good cause that compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime Contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime Contractor can self-perform the work for which the DBE contractor was engaged or so that the prime Contractor can substitute another DBE or non-DBE contractor after contract award.

When a DBE is terminated, or fails to complete its work on the Contract for any reason the Contractor shall make a good faith effort to find another DBE to substitute for the original DBE to perform at least the same amount of work under the contract as the terminated DBE to the extent needed to meet the established Contract goal. The good faith efforts shall be documented by the Contractor. If the Department requests documentation under this provision, the Contractor shall submit the documentation within seven days, which may be extended for an additional seven days if necessary at the request of the Contractor. The Department shall provide a written determination to the Contractor stating whether or not good faith efforts have been demonstrated.

- (f) PAYMENT RECORDS. The Contractor shall maintain a record of payments for work performed to the DBE participants. The records shall be made available to the Department for inspection upon request. After the performance of the final item of work or delivery of material by a DBE and final payment therefore to the DBE by the Contractor, but not later than thirty calendar days after payment has been made by the Department to the Contractor for such work or material, the Contractor shall submit a DBE Payment Agreement on Department form SBE 2115 to the Resident Engineer. If full and final payment has not been made to the DBE, the DBE Payment Agreement shall indicate whether a disagreement as to the payment required exists between the Contractor and the DBE or if the Contractor believes that the work has not been satisfactorily completed. If the Contractor does not have the full amount of work indicated in the Utilization Plan performed by the DBE companies indicated in the Utilization Plan and after good faith efforts are reviewed, the Department may deduct from contract payments to the Contractor the amount of the goal not achieved as liquidated and ascertained damages. The Contractor may request an administrative reconsideration of any amount deducted as damages pursuant to subsection (h) of this part.
- (g) ENFORCEMENT. The Department reserves the right to withhold payment to the Contractor to enforce the provisions of this Special Provision. Final payment shall not be made on the contract until such time as the Contractor submits sufficient documentation demonstrating achievement of the goal in accordance with this Special Provision or after liquidated damages have been determined and collected.
- (h) RECONSIDERATION. Notwithstanding any other provision of the contract, including but not limited to Article 109.09 of the Standard Specifications, the Contractor may request administrative reconsideration of a decision to deduct the amount of the goal not achieved as liquidated damages. A request to reconsider shall be delivered to the Contract Compliance Section and shall be handled and considered in the same manner as set forth in paragraph (c) of "Good Faith Effort Procedures" of this Special Provision, except a final decision that a good faith effort was not made during contract performance to achieve the goal agreed to in the Utilization Plan shall be the final administrative decision of the Department. The result of the reconsideration process is not administratively appealable to the U.S. Department of Transportation.

EQUAL EMPLOYMENT OPPORTUNITY (BDE)

Effective: April 1, 2015

FEDERAL AID CONTRACTS. Revise the following section of Check Sheet #1 of the Recurring Special Provisions to read:

"EQUAL EMPLOYMENT OPPORTUNITY

In the event of the Contractor's noncompliance with the provisions of this Equal Employment Opportunity Clause, the Illinois Human Rights Act, or the Illinois Department of Human Rights Rules and Regulations, the Contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political sub-divisions or municipal corporations, and the contract may be cancelled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation.

During the performance of this Contract, the Contractor agrees as follows:

- (1) That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status, or an unfavorable discharge from military service; and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization.
- (2) That, if it hires additional employees in order to perform this contract or any portion hereof, it will determine the availability (according to the Illinois Department of Human Rights Rules and Regulations) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
- (3) That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status or an unfavorable discharge from military service.
- (4) That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the Contractor's obligations under the Illinois Human Rights Act and the Illinois Department of Human Rights Rules and Regulations. If any labor organization or representative fails or refuses to cooperate with the Contractor in its efforts to comply with such Act and Rules and Regulations, the

Contractor will promptly so notify the Illinois Department of Human Rights and IDOT and will recruit employees from other sources when necessary to fulfill its obligations thereunder.

- (5) That it will submit reports as required by the Illinois Department of Human Rights Rules and Regulations, furnish all relevant information as may from time to time be requested by the Illinois Department of Human Rights or IDOT, and in all respects comply with the Illinois Human Rights Act and the Illinois Department of Human Rights Rules and Regulations.
- (6) That it will permit access to all relevant books, records, accounts, and work sites by personnel of IDOT and the Illinois Department of Human Rights for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Illinois Department of Human Rights Rules and Regulations.
- (7) That it will include verbatim or by reference the provisions of this clause in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that the provisions will be binding upon the subcontractor. In the same manner as with other provisions of this contract, the Contractor will be liable for compliance with applicable provisions of this clause by subcontractors; and further it will promptly notify IDOT and the Illinois Department of Human Rights in the event any subcontractor fails or refuses to comply with these provisions. In addition, the Contractor will not utilize any subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations."

STATE CONTRACTS. Revise Section II of Check Sheet #5 of the Recurring Special Provisions to read:

"II. EQUAL EMPLOYMENT OPPORTUNITY

In the event of the Contractor's noncompliance with the provisions of this Equal Employment Opportunity Clause, the Illinois Human Rights Act or the Illinois Department of Human Rights Rules and Regulations, the Contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political sub-divisions or municipal corporations, and the contract may be cancelled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation.

During the performance of this Contract, the Contractor agrees as follows:

1. That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status, or an unfavorable discharge from military service; and further

that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization.

2. That, if it hires additional employees in order to perform this contract or any portion hereof, it will determine the availability (according to the Illinois Department of Human Rights Rules and Regulations) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
3. That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, sexual orientation, marital status, order of protection status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, military status, or an unfavorable discharge from military service.
4. That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the Contractor's obligations under the Illinois Human Rights Act and the Illinois Department of Human Rights Rules and Regulations. If any labor organization or representative fails or refuses to cooperate with the Contractor in its efforts to comply with such Act and Rules and Regulations, the Contractor will promptly so notify the Illinois Department of Human Rights and IDOT and will recruit employees from other sources when necessary to fulfill its obligations thereunder.
5. That it will submit reports as required by the Illinois Department of Human Rights Rules and Regulations, furnish all relevant information as may from time to time be requested by the Illinois Department of Human Rights or IDOT, and in all respects comply with the Illinois Human Rights Act and the Illinois Department of Human Rights Rules and Regulations.
6. That it will permit access to all relevant books, records, accounts and work sites by personnel of IDOT and the Illinois Department of Human Rights for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Illinois Department of Human Rights Rules and Regulations.
7. That it will include verbatim or by reference the provisions of this clause in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that the provisions will be binding upon the subcontractor. In the same manner as with other provisions of this contract, the Contractor will be liable for compliance with applicable provisions of this clause by subcontractors; and further it will promptly notify IDOT and the Illinois Department of Human Rights in the event any subcontractor fails or refuses to comply with these provisions. In addition, the Contractor will not utilize any subcontractor declared by the Illinois Human Rights

Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.”

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ERRATA FOR THE 2016 STANDARD SPECIFICATIONS (BDE)

Effective: April 1, 2016

- Page 84 Article 204.02. In the seventh line of the first paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)".
- Page 90 Article 205.06. In the first sentence of the third paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)".
- Page 91 Article 205.06. In the first sentence of the fourth paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)", and in the second sentence change "AASHTO T 224" to "Illinois Modified AASHTO T 99 (Annex A1)".
- Page 91 Article 205.06. In the second line of the fifth paragraph change "AASHTO T 191" to "Illinois Modified AASHTO T 191".
- Page 91 Article 205.06. In the sixth line of the eighth paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)".
- Page 148 Article 302.09. In the second sentence of the fifth paragraph change "AASHTO T 191" to "Illinois Modified AASHTO T 191", and in the third sentence change "AASHTO T 99" to "Illinois Modified AASHTO T 99".
- Page 152 Article 310.09. In the second sentence of the second paragraph change "AASHTO T 191" to "Illinois Modified AASHTO T 191", and in the third sentence change "AASHTO T 99" to "Illinois Modified AASHTO T 99".
- Page 155 Article 311.05(a). In the first sentence of the fifth paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)", and in the second sentence change "AASHTO T 224" to "Illinois Modified AASHTO T 99 (Annex A1)".
- Page 155 Article 311.05(a). In the second line of the sixth paragraph change "AASHTO T 191" to "Illinois Modified AASHTO T 191".
- Page 163 Article 351.05(a). In the second sentence of the fifth paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)", and in the third sentence change "AASHTO T 224" to "Illinois Modified AASHTO T 99 (Annex A1)".
- Page 163 Article 351.05(a). In the second line of the sixth paragraph change "AASHTO T 191" to "Illinois Modified AASHTO T 191".
- Page 169 Article 352.11. In the second sentence of the fourth paragraph change "AASHTO T 191" to "Illinois Modified AASHTO T 191", and in the third sentence change "AASHTO T 134 (Method B)" to "Illinois Modified AASHTO T 134 (Method B)".

Page 169 Article 352.12. In the first sentence of the first paragraph change "AASHTO T 22" to "Illinois Modified AASHTO T 22", and in the second sentence change "AASHTO T 134 (Method B)" to "Illinois Modified AASHTO T 134 (Method B)".

Page 196 Article 406.07(a). After the footnotes in Table 1 - Minimum Roller Requirements for HMA add the following:

"EQUIPMENT DEFINITION

- V_s - Vibratory roller, static mode, minimum 125 lb/in. (2.2 kg/mm) of roller width. Maximum speed = 3 mph (5 km/h) or 264 ft/min (80 m/min). If the vibratory roller does not eliminate roller marks, its use shall be discontinued and a tandem roller, adequately ballasted to remove roller marks, shall be used.
- V_D - Vibratory roller, dynamic mode, operated at a speed to produce not less than 10 impacts/ft (30 impacts/m).
- P - Pneumatic-tired roller, max. speed 3 1/2 mph (5.5 km/h) or 308 ft/min (92 m/min). The pneumatic-tired roller shall have a minimum tire pressure of 80 psi (550 kPa) and shall be equipped with heat retention shields. The self-propelled pneumatic-tired roller shall develop a compression of not less than 300 lb (53 N) nor more than 500 lb (88 N) per in. (mm) of width of the tire tread in contact with the HMA surface.
- T_B - Tandem roller for breakdown rolling, 8 to 12 tons (7 to 11 metric tons), 250 to 400 lb/in. (44 to 70 N/mm) of roller width, max. speed = 3 1/2 mph (5.5 km/h) or 308 ft/min (92 m/min).
- T_F - Tandem roller for final rolling, 200 to 400 lb/in. (35 to 70 N/mm) of roller width with minimum roller width of 50 in. (1.25 m). Ballast shall be increased if roller marks are not eliminated. Ballast shall be decreased if the mat shoves or distorts.
- 3W- Three wheel roller, max. speed = 3 mph (5 km/h) or 264 ft/min (80 m/min), 300 to 400 lb/in. (53 to 70 N/mm) of roller width. The three-wheel roller shall weigh 10 to 12 tons (9 to 11 metric tons)."

Page 331 Article 505.04(p). Under Range of Clearance in the first table change "in. x 10⁻⁶" to "in. x 10⁻³".

Page 444 Article 542.03. In the Notes in Table IIIB add "CPP Corrugated Polypropylene (CPP) pipe with smooth interior".

- Page 445 Article 542.03. In the fourth column in Table IIIB (metric) change the heading for Type 5 pipe from "CPE" to "CPP".
- Page 445 Article 542.03. In the Notes in Table IIIB (metric) change "PE Polyethylene (PE) pipe with a smooth interior" to "CPP Corrugated Polypropylene (CPP) pipe with smooth interior".
- Page 449 Article 542.04(f)(2). In the third line of the second paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)".
- Page 544 Article 639.03. In the first sentence of the first paragraph change "AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires, Traffic Signals," to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals,"".
- Page 546 Article 640.03. In the first sentence of the first paragraph change "AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals" to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"".
- Page 548 Article 641.03. In the first sentence of the first paragraph change "AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaire and Traffic Signals," to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals,"".
- Page 621 Article 727.03. In the first sentence of the third paragraph change "AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires and Traffic Signals" to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"".
- Page 629 Article 734.03(a). In the fourth line of the second paragraph change "AASHTO T 99 (Method C)" to "Illinois Modified AASHTO T 99 (Method C)".
- Page 649 Article 801.02. In the first sentence of the first paragraph change "AASHTO's Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals" to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"".
- Page 742 Article 1003.04(c). Under Gradation in the table change "(see Article 1003.02(c))" to "(see Article 1003.01(c))".
- Page 755 Article 1004.03(b). Revise the third sentence of the first paragraph to read "For Class A (seal or cover coat), and other binder courses, the coarse aggregate shall be Class C quality or better."

- Page 809 Article 1020.04(e). In the third line of the first paragraph change "ITP SCC-3" to "ITP SCC-4".
- Page 945 Article 1069.05. In the first sentence of the tenth paragraph change ""Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"" to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"".
- Page 961 Article 1070.04(b)(1). In the third sentence of the first paragraph change ""Standard Specifications of Structural Supports for Highway Signs, Luminaires and Traffic Signals" published by AASHTO" to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"".
- Page 989 Article 1077.01. In the second sentence of the first paragraph change "Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals, as published by AASHTO" to "AASHTO "LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals"".
- Page 1121 Article 1103.13(a). In the first line of the first paragraph change "Bridge Deck Approach Slabs." to "Bridge Deck and Approach Slabs.".

80364

HOT-MIX ASPHALT - DENSITY TESTING OF LONGITUDINAL JOINTS (BDE)

Effective: January 1, 2010

Revised: April 1, 2016

Description. This work shall consist of testing the density of longitudinal joints as part of the quality control/quality assurance (QC/QA) of hot-mix asphalt (HMA). Work shall be according to Section 1030 of the Standard Specifications except as follows.

Quality Control/Quality Assurance (QC/QA). Delete the second and third sentence of the third paragraph of Article 1030.05(d)(3) of the Standard Specifications.

Add the following paragraphs to the end of Article 1030.05(d)(3) of the Standard Specifications:

"Longitudinal joint density testing shall be performed at each random density test location. Longitudinal joint testing shall be located at a distance equal to the lift thickness or a minimum of 4 in. (100 mm), from each pavement edge. (i.e. for a 5 in. (125 mm) lift the near edge of the density gauge or core barrel shall be within 5 in. (125 mm) from the edge of pavement.) Longitudinal joint density testing shall be performed using either a correlated nuclear gauge or cores.

- a. Confined Edge. Each confined edge density shall be represented by a one-minute nuclear density reading or a core density and shall be included in the average of density readings or core densities taken across the mat which represents the Individual Test.
- b. Unconfined Edge. Each unconfined edge joint density shall be represented by an average of three one-minute density readings or a single core density at the given density test location and shall meet the density requirements specified herein. The three one-minute readings shall be spaced 10 ft (3 m) apart longitudinally along the unconfined pavement edge and centered at the random density test location."

Revise the Density Control Limits table in Article 1030.05(d)(4) of the Standard Specifications to read:

"Mixture Composition	Parameter	Individual Test (includes confined edges)	Unconfined Edge Joint Density Minimum
IL-4.75	N _{design} = 50	93.0 – 97.4% ¹⁷	91.0%
IL-9.5	N _{design} = 90	92.0 – 96.0%	90.0%
IL-9.5,IL-9.5L	N _{design} < 90	92.5 – 97.4%	90.0%
IL-19.0	N _{design} = 90	93.0 – 96.0%	90.0%
IL-19.0, IL-19.0L	N _{design} < 90	93.0 ²¹ – 97.4%	90.0%
SMA	N _{design} = 50 & 80	93.5 – 97.4%	91.0% ⁿ

80246

PROGRESS PAYMENTS (BDE)

Effective: November 2, 2013

Revise Article 109.07(a) of the Standard Specifications to read:

- “(a) Progress Payments. At least once each month, the Engineer will make a written estimate of the quantity of work performed in accordance with the contract, and the value thereof at the contract unit prices. The amount of the estimate approved as due for payment will be vouchered by the Department and presented to the State Comptroller for payment. No amount less than \$1000.00 will be approved for payment other than the final payment.

Progress payments may be reduced by liens filed pursuant to Section 23(c) of the Mechanics' Lien Act, 770 ILCS 60/23(c).

If a Contractor or subcontractor has defaulted on a loan issued under the Department's Disadvantaged Business Revolving Loan Program (20 ILCS 2705/2705-610), progress payments may be reduced pursuant to the terms of that loan agreement. In such cases, the amount of the estimate related to the work performed by the Contractor or subcontractor, in default of the loan agreement, will be offset, in whole or in part, and vouchered by the Department to the Working Capital Revolving Fund or designated escrow account. Payment for the work shall be considered as issued and received by the Contractor or subcontractor on the date of the offset voucher. Further, the amount of the offset voucher shall be a credit against the Department's obligation to pay the Contractor, the Contractor's obligation to pay the subcontractor, and the Contractor's or subcontractor's total loan indebtedness to the Department. The offset shall continue until such time as the entire loan indebtedness is satisfied. The Department will notify the Contractor and Fund Control Agent in a timely manner of such offset. The Contractor or subcontractor shall not be entitled to additional payment in consideration of the offset.

The failure to perform any requirement, obligation, or term of the contract by the Contractor shall be reason for withholding any progress payments until the Department determines that compliance has been achieved.”

80328

RECLAIMED ASPHALT PAVEMENT AND RECLAIMED ASPHALT SHINGLES (BDE)

Effective: November 1, 2012

Revise: April 1, 2016

Revise Section 1031 of the Standard Specifications to read:

"SECTION 1031. RECLAIMED ASPHALT PAVEMENT AND RECLAIMED ASPHALT SHINGLES

1031.01 Description. Reclaimed asphalt pavement and reclaimed asphalt shingles shall be according to the following.

- (a) Reclaimed Asphalt Pavement (RAP). RAP is the material produced by cold milling or crushing an existing hot-mix asphalt (HMA) pavement. The Contractor shall supply written documentation that the RAP originated from routes or airfields under federal, state, or local agency jurisdiction.
- (b) Reclaimed Asphalt Shingles (RAS). Reclaimed asphalt shingles (RAS). RAS is from the processing and grinding of preconsumer or post-consumer shingles. RAS shall be a clean and uniform material with a maximum of 0.5 percent unacceptable material, as defined in Bureau of Materials and Physical Research Policy Memorandum, "Reclaimed Asphalt Shingle (RAS) Sources", by weight of RAS. All RAS used shall come from a Bureau of Materials and Physical Research approved processing facility where it shall be ground and processed to 100 percent passing the 3/8 in. (9.5 mm) sieve and 93 percent passing the #4 (4.75 mm) sieve based on a dry shake gradation. RAS shall be uniform in gradation and asphalt binder content and shall meet the testing requirements specified herein. In addition, RAS shall meet the following Type 1 or Type 2 requirements.
 - (1) Type 1. Type 1 RAS shall be processed, preconsumer asphalt shingles salvaged from the manufacture of residential asphalt roofing shingles.
 - (2) Type 2. Type 2 RAS shall be processed post-consumer shingles only, salvaged from residential, or four unit or less dwellings not subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP).

1031.02 Stockpiles. RAP and RAS stockpiles shall be according to the following.

- (a) RAP Stockpiles. The Contractor shall construct individual, sealed RAP stockpiles meeting one of the following definitions. No additional RAP shall be added to the pile after the pile has been sealed. Stockpiles shall be sufficiently separated to prevent intermingling at the base. Stockpiles shall be identified by signs indicating the type as listed below (i.e. "Homogeneous Surface").

Prior to milling, the Contractor shall request the District provide documentation on the quality of the RAP to clarify the appropriate stockpile.

- (1) Fractionated RAP (FRAP). FRAP shall consist of RAP from Class I, HMA (High and Low ESAL) mixtures. The coarse aggregate in FRAP shall be crushed aggregate and may represent more than one aggregate type and/or quality, but shall be at least C quality. All FRAP shall be fractionated prior to testing by screening into a minimum of two size fractions with the separation occurring on or between the #4 (4.75 mm) and 1/2 in. (12.5 mm) sieves. Agglomerations shall be minimized such that 100 percent of the RAP shall pass the sieve size specified below for the mix into which the FRAP will be incorporated.

Mixture FRAP will be used in:	Sieve Size that 100 % of FRAP Shall Pass
IL-19.0	1 1/2 in. (40 mm)
IL-9.5	3/4 in. (20 mm)
IL-4.75	1/2 in. (13 mm)

- (2) Homogeneous. Homogeneous RAP stockpiles shall consist of RAP from Class I, HMA (High and Low ESAL) mixtures and represent: 1) the same aggregate quality, but shall be at least C quality; 2) the same type of crushed aggregate (either crushed natural aggregate, ACBF slag, or steel slag); 3) similar gradation; and 4) similar asphalt binder content. If approved by the Engineer, combined single pass surface/binder millings may be considered "homogeneous" with a quality rating dictated by the lowest coarse aggregate quality present in the mixture.
- (3) Conglomerate. Conglomerate RAP stockpiles shall consist of RAP from Class I, HMA (High and Low ESAL) mixtures. The coarse aggregate in this RAP shall be crushed aggregate and may represent more than one aggregate type and/or quality, but shall be at least C quality. This RAP may have an inconsistent gradation and/or asphalt binder content prior to processing. All conglomerate RAP shall be processed prior to testing by crushing to where all RAP shall pass the 5/8 in. (16 mm) or smaller screen. Conglomerate RAP stockpiles shall not contain steel slag.
- (4) Non-Quality. RAP stockpiles that do not meet the requirements of the stockpile categories listed above shall be classified as "Non-Quality".

RAP/FRAP containing contaminants, such as earth, brick, sand, concrete, sheet asphalt, bituminous surface treatment (i.e. chip seal), pavement fabric, joint sealants, etc., will be unacceptable unless the contaminants are removed to the satisfaction of the Engineer. Sheet asphalt shall be stockpiled separately.

- (b) RAS Stockpiles. Type 1 and Type 2 RAS shall be stockpiled separately and shall not be intermingled. Each stockpile shall be signed indicating what type of RAS is present.

Unless otherwise specified by the Engineer, mechanically blending manufactured sand (FM 20 or FM 22) up to an equal weight of RAS with the processed RAS will be permitted to improve workability. The sand shall be "B Quality" or better from an approved Aggregate Gradation Control System source. The sand shall be accounted for in the mix design and during HMA production.

Records identifying the shingle processing facility supplying the RAS, RAS type, and lot number shall be maintained by project contract number and kept for a minimum of three years.

1031.03 Testing. RAP/FRAP and RAS testing shall be according to the following.

(a) RAP/FRAP Testing. When used in HMA, the RAP/FRAP shall be sampled and tested either during or after stockpiling.

(1) During Stockpiling. For testing during stockpiling, washed extraction samples shall be run at the minimum frequency of one sample per 500 tons (450 metric tons) for the first 2000 tons (1800 metric tons) and one sample per 2000 tons (1800 metric tons) thereafter. A minimum of five tests shall be required for stockpiles less than 4000 tons (3600 metric tons).

(2) After Stockpiling. For testing after stockpiling, the Contractor shall submit a plan for approval to the District proposing a satisfactory method of sampling and testing the RAP/FRAP pile either in-situ or by restockpiling. The sampling plan shall meet the minimum frequency required above and detail the procedure used to obtain representative samples throughout the pile for testing.

Each sample shall be split to obtain two equal samples of test sample size. One of the two test samples from the final split shall be labeled and stored for Department use. The Contractor shall extract the other test sample according to Department procedure. The Engineer reserves the right to test any sample (split or Department-taken) to verify Contractor test results.

(b) RAS Testing. RAS or RAS blended with manufactured sand shall be sampled and tested during stockpiling according to Bureau of Materials and Physical Research Policy Memorandum, "Reclaimed Asphalt Shingle (RAS) Source".

Samples shall be collected during stockpiling at the minimum frequency of one sample per 200 tons (180 metric tons) for the first 1000 tons (900 metric tons) and one sample per 250 tons (225 metric tons) thereafter. A minimum of five samples are required for stockpiles less than 1000 tons (900 metric tons). Once a ≤ 1000 ton (900 metric ton), five-sample/test stockpile has been established it shall be sealed. Additional incoming RAS or RAS blended with manufactured sand shall be stockpiled in a separate working pile as designated in the Quality Control plan and only added to the sealed stockpile when the test results of the working pile are complete and are found to meet the tolerances specified herein for the original sealed RAS stockpile.

Before testing, each sample shall be split to obtain two test samples. One of the two test samples from the final split shall be labeled and stored for Department use. The Contractor shall perform a washed extraction and test for unacceptable materials on the other test sample according to Department procedures. The Engineer reserves the right to test any sample (split or Department-taken) to verify Contractor test results.

If the sampling and testing was performed at the shingle processing facility in accordance with the QC Plan, the Contractor shall obtain and make available all of the test results from start of the initial stockpile.

1031.04 Evaluation of Tests. Evaluation of test results shall be according to the following.

(a) Evaluation of RAP/FRAP Test Results. All of the extraction results shall be compiled and averaged for asphalt binder content and gradation, and when applicable G_{mm} . Individual extraction test results, when compared to the averages, will be accepted if within the tolerances listed below.

Parameter	FRAP/Homogeneous/ Conglomerate
1 in. (25 mm)	
1/2 in. (12.5 mm)	± 8 %
No. 4 (4.75 mm)	± 6 %
No. 8 (2.36 mm)	± 5 %
No. 16 (1.18 mm)	
No. 30 (600 μ m)	± 5 %
No. 200 (75 μ m)	± 2.0 %
Asphalt Binder	± 0.4 % ^{1/}
G_{mm}	± 0.03

1/ The tolerance for FRAP shall be ± 0.3 %.

If more than 20 percent of the individual sieves and/or asphalt binder content tests are out of the above tolerances, the RAP/FRAP shall not be used in HMA unless the RAP/FRAP representing the failing tests is removed from the stockpile. All test data and acceptance ranges shall be sent to the District for evaluation.

With the approval of the Engineer, the ignition oven may be substituted for extractions according to the ITP, "Calibration of the Ignition Oven for the Purpose of Characterizing Reclaimed Asphalt Pavement (RAP)".

(b) Evaluation of RAS and RAS Blended with Manufactured Sand Test Results. All of the test results, with the exception of percent unacceptable materials, shall be compiled and averaged for asphalt binder content and gradation. Individual test results, when compared to the averages, will be accepted if within the tolerances listed below.

Parameter	RAS
No. 8 (2.36 mm)	± 5 %
No. 16 (1.18 mm)	± 5 %
No. 30 (600 µm)	± 4 %
No. 200 (75 µm)	± 2.0 %
Asphalt Binder Content	± 1.5 %

If more than 20 percent of the individual sieves and/or asphalt binder content tests are out of the above tolerances, or if the percent unacceptable material exceeds 0.5 percent by weight of material retained on the # 4 (4.75 mm) sieve, the RAS or RAS blend shall not be used in Department projects. All test data and acceptance ranges shall be sent to the District for evaluation.

1031.05 Quality Designation of Aggregate in RAP/FRAP.

(a) RAP. The aggregate quality of the RAP for homogeneous and conglomerate stockpiles shall be set by the lowest quality of coarse aggregate in the RAP stockpile and are designated as follows.

(1) RAP from Class I, Superpave/HMA (High ESAL), or (Low ESAL) IL-9.5L surface mixtures are designated as containing Class B quality coarse aggregate.

(2) RAP from Class I binder, Superpave/HMA (High ESAL) binder, or (Low ESAL) IL-19.0L binder mixtures are designated as containing Class C quality coarse aggregate.

(b) FRAP. If the Engineer has documentation of the quality of the FRAP aggregate, the Contractor shall use the assigned quality provided by the Engineer.

If the quality is not known, the quality shall be determined as follows. Coarse and fine FRAP stockpiles containing plus #4 (4.75 mm) sieve coarse aggregate shall have a maximum tonnage of 5000 tons (4500 metric tons). The Contractor shall obtain a representative sample witnessed by the Engineer. The sample shall be a minimum of 50 lb (25 kg). The sample shall be extracted according to Illinois Modified AASHTO T 164 by a consultant laboratory prequalified by the Department for the specified testing. The consultant laboratory shall submit the test results along with the recovered aggregate to the District Office. The cost for this testing shall be paid by the Contractor. The District will forward the sample to the Bureau of Materials and Physical Research Aggregate Lab for MicroDeval Testing, according to ITP 327. A maximum loss of 15.0 percent will be applied for all HMA applications.

1031.06 Use of RAP/FRAP and/or RAS in HMA. The use of RAP/FRAP and/or RAS shall be the Contractor's option when constructing HMA in all contracts.

(a) RAP/FRAP. The use of RAP/FRAP in HMA shall be as follows.

- (1) Coarse Aggregate Size. The coarse aggregate in all RAP shall be equal to or less than the nominal maximum size requirement for the HMA mixture to be produced.
 - (2) Steel Slag Stockpiles. Homogeneous RAP stockpiles containing steel slag will be approved for use in all HMA (High ESAL and Low ESAL) Surface and Binder Mixture applications.
 - (3) Use in HMA Surface Mixtures (High and Low ESAL). RAP/FRAP stockpiles for use in HMA surface mixtures (High and Low ESAL) shall be FRAP or homogeneous in which the coarse aggregate is Class B quality or better. RAP/FRAP from Conglomerate stockpiles shall be considered equivalent to limestone for frictional considerations. Known frictional contributions from plus #4 (4.75 mm) homogeneous RAP and FRAP stockpiles will be accounted for in meeting frictional requirements in the specified mixture.
 - (4) Use in HMA Binder Mixtures (High and Low ESAL), HMA Base Course, and HMA Base Course Widening. RAP/FRAP stockpiles for use in HMA binder mixtures (High and Low ESAL), HMA base course, and HMA base course widening shall be FRAP, homogeneous, or conglomerate, in which the coarse aggregate is Class C quality or better.
 - (5) Use in Shoulders and Subbase. RAP/FRAP stockpiles for use in HMA shoulders and stabilized subbase (HMA) shall be FRAP, homogeneous, or conglomerate.
 - (6) When the Contractor chooses the RAP option, the percentage of RAP shall not exceed the amounts indicated in Article 1031.06(c)(1) below for a given Ndesign.
- (b) RAS. RAS meeting Type 1 or Type 2 requirements will be permitted in all HMA applications as specified herein.
 - (c) RAP/FRAP and/or RAS Usage Limits. Type 1 or Type 2 RAS may be used alone or in conjunction with RAP or FRAP in HMA mixtures up to a maximum of 5.0 percent by weight of the total mix.
 - (1) RAP/RAS. When RAP is used alone or RAP is used in conjunction with RAS, the percentage of virgin asphalt binder replacement shall not exceed the amounts listed in the Max RAP/RAS ABR table listed below for the given Ndesign.

RAP/RAS Maximum Asphalt Binder Replacement (ABR) Percentage

HMA Mixtures <i>1/, 2/</i>	RAP/RAS Maximum ABR %		
	Binder/Leveling Binder	Surface	Polymer Modified
30	30	30	10

50	25	15	10
70	15	10	10
90	10	10	10

1/ For Low ESAL HMA shoulder and stabilized subbase, the RAP/RAS ABR shall not exceed 50 percent of the mixture.

2/ When RAP/RAS ABR exceeds 20 percent, the high and low virgin asphalt binder grades shall each be reduced by one grade (i.e. 25 percent ABR would require a virgin asphalt binder grade of PG 64-22 to be reduced to a PG 58-28). If warm mix asphalt (WMA) technology is utilized and production temperatures do not exceed 275 °F (135 °C), the high and low virgin asphalt binder grades shall each be reduced by one grade when RAP/RAS ABR exceeds 25 percent (i.e. 26 percent RAP/RAS ABR would require a virgin asphalt binder grade of PG 64-22 to be reduced to a PG 58-28).

(2) FRAP/RAS. When FRAP is used alone or FRAP is used in conjunction with RAS, the percentage of virgin asphalt binder replacement shall not exceed the amounts listed in the FRAP/RAS table listed below for the given Ndesign.

FRAP/RAS Maximum Asphalt Binder Replacement (ABR) Percentage

HMA Mixtures <i>1, 2/</i>	FRAP/RAS Maximum ABR %			
	Ndesign	Binder/Leveling Binder	Surface	Polymer Modified ^{3/, 4/}
	30	50	40	10
	50	40	35	10
	70	40	30	10
	90	40	30	10

1/ For Low ESAL HMA shoulder and stabilized subbase, the FRAP/RAS ABR shall not exceed 50 percent of the mixture.

2/ When FRAP/RAS ABR exceeds 20 percent for all mixes, the high and low virgin asphalt binder grades shall each be reduced by one grade (i.e. 25 percent ABR would require a virgin asphalt binder grade of PG 64-22 to be reduced to a PG 58-28). If warm mix asphalt (WMA) technology is utilized and production temperatures do not exceed 275 °F (135 °C), the high and low virgin asphalt binder grades shall each be reduced by one grade when FRAP/RAS ABR exceeds 25 percent (i.e. 26 percent ABR would require a virgin asphalt binder grade of PG 64-22 to be reduced to a PG 58-28).

3/ For SMA the FRAP/RAS ABR shall not exceed 20 percent.

4/ For IL-4.75 mix the FRAP/RAS ABR shall not exceed 30 percent.

1031.07 HMA Mix Designs. At the Contractor's option, HMA mixtures may be constructed utilizing RAP/FRAP and/or RAS material meeting the detailed requirements specified herein.

- (a) RAP/FRAP and/or RAS. RAP/FRAP and/or RAS mix designs shall be submitted for verification. If additional RAP/FRAP and/or RAS stockpiles are tested and found that no more than 20 percent of the results, as defined under "Testing" herein, are outside of the control tolerances set for the original RAP/FRAP and/or RAS stockpile and HMA mix design, and meets all of the requirements herein, the additional RAP/FRAP and/or RAS stockpiles may be used in the original mix design at the percent previously verified.
- (b) RAS. Type 1 and Type 2 RAS are not interchangeable in a mix design. A RAS stone bulk specific gravity (Gsb) of 2.300 shall be used for mix design purposes.

1031.08 HMA Production. HMA production utilizing RAP/FRAP and/or RAS shall be as follows.

- (a) RAP/FRAP. The coarse aggregate in all RAP/FRAP used shall be equal to or less than the nominal maximum size requirement for the HMA mixture being produced.

To remove or reduce agglomerated material, a scalping screen, gator, crushing unit, or comparable sizing device approved by the Engineer shall be used in the RAP feed system to remove or reduce oversized material. If material passing the sizing device adversely affects the mix production or quality of the mix, the sizing device shall be set at a size specified by the Engineer.

If the RAP/FRAP control tolerances or QC/QA test results require corrective action, the Contractor shall cease production of the mixture containing RAP/FRAP and either switch to the virgin aggregate design or submit a new RAP/FRAP design.

- (b) RAS. RAS shall be incorporated into the HMA mixture either by a separate weight depletion system or by using the RAP weigh belt. Either feed system shall be interlocked with the aggregate feed or weigh system to maintain correct proportions for all rates of production and batch sizes. The portion of RAS shall be controlled accurately to within ± 0.5 percent of the amount of RAS utilized. When using the weight depletion system, flow indicators or sensing devices shall be provided and interlocked with the plant controls such that the mixture production is halted when RAS flow is interrupted.
- (c) RAP/FRAP and/or RAS. HMA plants utilizing RAP/FRAP and/or RAS shall be capable of automatically recording and printing the following information.

(1) Dryer Drum Plants.

- a. Date, month, year, and time to the nearest minute for each print.

- b. HMA mix number assigned by the Department.
- c. Accumulated weight of dry aggregate (combined or individual) in tons (metric tons) to the nearest 0.1 ton (0.1 metric ton).
- d. Accumulated dry weight of RAP/FRAP/RAS in tons (metric tons) to the nearest 0.1 ton (0.1 metric ton).
- e. Accumulated mineral filler in revolutions, tons (metric tons), etc. to the nearest 0.1 unit.
- f. Accumulated asphalt binder in gallons (liters), tons (metric tons), etc. to the nearest 0.1 unit.
- g. Residual asphalt binder in the RAP/FRAP material as a percent of the total mix to the nearest 0.1 percent.
- h. Aggregate and RAP/FRAP moisture compensators in percent as set on the control panel. (Required when accumulated or individual aggregate and RAP/FRAP are printed in wet condition.)

(2) Batch Plants.

- a. Date, month, year, and time to the nearest minute for each print.
- b. HMA mix number assigned by the Department.
- c. Individual virgin aggregate hot bin batch weights to the nearest pound (kilogram).
- d. Mineral filler weight to the nearest pound (kilogram).
- e. RAP/FRAP/RAS weight to the nearest pound (kilogram).
- f. Virgin asphalt binder weight to the nearest pound (kilogram).
- g. Residual asphalt binder in the RAP/FRAP/RAS material as a percent of the total mix to the nearest 0.1 percent.

The printouts shall be maintained in a file at the plant for a minimum of one year or as directed by the Engineer and shall be made available upon request. The printing system will be inspected by the Engineer prior to production and verified at the beginning of each construction season thereafter.

1031.09 RAP in Aggregate Surface Course and Aggregate Wedge Shoulders, Type B.
The use of RAP in aggregate surface course (temporary access entrances only) and aggregate wedge shoulders, Type B shall be as follows.

- (a) Stockpiles and Testing. RAP stockpiles may be any of those listed in Article 1031.02, except "Non-Quality" and "FRAP". The testing requirements of Article 1031.03 shall not apply. RAP used shall be according to the current Bureau of Materials and Physical Research Policy Memorandum, "Reclaimed Asphalt Pavement (RAP) for Aggregate Applications".
- (b) Gradation. One hundred percent of the RAP material shall pass the 1 1/2 in. (37.5 mm) sieve. The RAP material shall be reasonably well graded from coarse to fine. RAP material that is gap-graded or single sized will not be accepted."

80306

WARM MIX ASPHALT (BDE)

Effective: January 1, 2012

Revised: April 1, 2016

Description. This work shall consist of designing, producing and constructing Warm Mix Asphalt (WMA) in lieu of Hot Mix Asphalt (HMA) at the Contractor's option. Work shall be according to Sections 406, 407, 408, 1030, and 1102 of the Standard Specifications, except as modified herein. In addition, any references to HMA in the Standard Specifications, or the special provisions shall be construed to include WMA.

WMA is an asphalt mixture which can be produced at temperatures lower than allowed for HMA utilizing approved WMA technologies. WMA technologies are defined as the use of additives or processes which allow a reduction in the temperatures at which HMA mixes are produced and placed. WMA is produced by the use of additives, a water foaming process, or combination of both. Additives include minerals, chemicals or organics incorporated into the asphalt binder stream in a dedicated delivery system. The process of foaming injects water into the asphalt binder stream, just prior to incorporation of the asphalt binder with the aggregate.

Approved WMA technologies may also be used in HMA provided all the requirements specified herein, with the exception of temperature, are met. However, asphalt mixtures produced at temperatures in excess of 275 °F (135 °C) will not be considered WMA when determining the grade reduction of the virgin asphalt binder grade.

Equipment.

Revise the first paragraph of Article 1102.01 of the Standard Specifications to read:

"1102.01 Hot-Mix Asphalt Plant. The hot-mix asphalt (HMA) plant shall be the batch-type, continuous-type, or dryer drum plant. The plants shall be evaluated for prequalification rating and approval to produce HMA according to the current Bureau of Materials and Physical Research Policy Memorandum, "Approval of Hot-Mix Asphalt Plants and Equipment". Once approved, the Contractor shall notify the Bureau of Materials and Physical Research to obtain approval of all plant modifications. The plants shall not be used to produce mixtures concurrently for more than one project or for private work unless permission is granted in writing by the Engineer. The plant units shall be so designed, coordinated and operated that they will function properly and produce HMA having uniform temperatures and compositions within the tolerances specified. The plant units shall meet the following requirements."

Add the following to Article 1102.01(a) of the Standard Specifications.

"(11) Equipment for Warm Mix Technologies.

- a. Foaming. Metering equipment for foamed asphalt shall have an accuracy of ± 2 percent of the actual water metered. The foaming control system shall be electronically interfaced with the asphalt binder meter.

- b. Additives. Additives shall be introduced into the plant according to the supplier's recommendations and shall be approved by the Engineer. The system for introducing the WMA additive shall be interlocked with the aggregate feed or weigh system to maintain correct proportions for all rates of production and batch sizes."

Mix Design Verification.

Add the following to Article 1030.04 of the Standard Specifications.

"(e) Warm Mix Technologies.

- (1) Foaming. WMA mix design verification will not be required when foaming technology is used alone (without WMA additives). However, the foaming technology shall only be used on HMA designs previously approved by the Department.
- (2) Additives. WMA mix designs utilizing additives shall be submitted to the Engineer for mix design verification."

Construction Requirements.

Revise the second paragraph of Article 406.06(b)(1) of the Standard Specifications to read:

"The HMA shall be delivered at a temperature of 250 to 350 °F (120 to 175 °C).
WMA shall be delivered at a minimum temperature of 215 °F (102 °C)."

Basis of Payment.

This work will be paid at the contract unit price bid for the HMA pay items involved. Anti-strip will not be paid for separately, but shall be considered as included in the cost of the work.

80288

WEEKLY DBE TRUCKING REPORTS (BDE)

Effective: June 2, 2012

Revised: April 2, 2015

The Contractor shall submit a weekly report of Disadvantaged Business Enterprise (DBE) trucks hired by the Contractor or subcontractors (i.e. not owned by the Contractor or subcontractors) that are used for DBE goal credit.

The report shall be submitted to the Engineer on Department form "SBE 723" within ten business days following the reporting period. The reporting period shall be Monday through Sunday for each week reportable trucking activities occur.

Any costs associated with providing weekly DBE trucking reports shall be considered as included in the contract unit prices bid for the various items of work involved and no additional compensation will be allowed.

80302

WORKING DAYS (BDE)

Effective: January 1, 2002

The Contractor shall complete the work within **85** working days.

80071

REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
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ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If

the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color,

religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. Davis-Bacon and Related Act Provisions

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b.(1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such

action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b. (1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g. , the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for

debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contacting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such

contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded,"

as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with

commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the

certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

Contract Provision - Cargo Preference Requirements

In accordance with Title 46 CFR § 381.7 (b), the contractor agrees—

“(1) To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.

(2) To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, ‘on-board’ commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (b) (1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590.

(3) To insert the substance of the provisions of this clause in all subcontracts issued pursuant to this contract.”

Provisions (1) and (2) apply to materials or equipment that are acquired solely for the project. The two provisions do not apply to goods or materials that come into inventories independent of the project, such as shipments of Portland cement, asphalt cement, or aggregates, when industry suppliers and contractors use these materials to replenish existing inventories.

**MINIMUM WAGES FOR FEDERAL AND FEDERALLY
ASSISTED CONSTRUCTION CONTRACTS**

This project is funded, in part, with Federal-aid funds and, as such, is subject to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Sta. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in a 29 CFR Part 1, Appendix A, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act and pursuant to the provisions of 29 CFR Part 1. The prevailing rates and fringe benefits shown in the General Wage Determination Decisions issued by the U.S. Department of Labor shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

General Wage Determination Decisions, modifications and supersedes decisions thereto are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable DBRA Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits contained in the General Wage Determination Decision shall be the minimum paid by contractors and subcontractors to laborers and mechanics.