

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. CONTRACT ID CODE

PAGE OF PAGES

2. AMENDMENT/MODIFICATION NO.

0002

3. EFFECTIVE DATE

24 May 02

4. REQUISITION/PURCHASE REQ. NO.

5. PROJECT NO. (If applicable)

6. ISSUED BY

Jacksonville District Office  
U.S. Army Corps of Engineers  
400 West Bay Street  
Jacksonville, FL 32202-4412  
John Szep (904) 232-1131

CODE

7. ADMINISTERED BY (If other than Item 6)

CODE

Jacksonville District Office  
U.S. Army Corps of Engineers  
400 West Bay Street  
Jacksonville, FL 32202-4412

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(√)

9A. AMENDMENT OF SOLICITATION NO.

DACW17-02-B-0014

×

9B. DATED (SEE ITEM 11)

24-May-2002

10A. MODIFICATION OF CONTRACTS/ORDER NO.

10B. DATED (SEE ITEM 13)

CODE

FACILITY CODE

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**



The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers tended.



is extended,



is not ex-

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

(√)

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

D. OTHER (Specify type of modification and authority)

**E. IMPORTANT:** Contractor  is not,  is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

MAINTENANCE DREDGING 28 AND 30-FOOT PROJECT, FT. PIERCE HARBOR, ST.LUCIE COUNTY, FLORIDA.

ANY ENCLOSURES ACCOMPANYING THIS AMENDMENT SHOULD BE INSERTED IN THE PLANS AND SPECIFICATIONS AS APPLICABLE. ALL SUPERSEDED MATERIALS SHOULD BE REMOVED OR ADEQUATELY MARKED TO INDICATE THEY HAVE BEEN SUPERSEDED.

THE NEW BID OPENING DATE IS 04 JUNE 2002 AT 2:00 PM.

SEE ATTACHED CONTINUATION SHEET.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

GRISELLE GONZALEZ

15B. CONTRACTOR/OFFEROR

15C. DATE SIGNED

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED

(Signature of person authorized to sign)

BY

(Signature of Contracting Officer)

SF 30 CONTINUATION SHEETS

**1. SPECIFICATIONS:**

A. Either asterisks appear before and after the line or lines where revisions have been made to the text on the enclosed revised or added pages or the text changes have been updated with additions noted with underlined text and deletions noted with line/cross-outs, and pertain only to changes made by this amendment.

B. The text changes may have necessitated reformatting of subsequent text or pages. If this is the case, those pages have also been issued as amended pages but are not marked with asterisks or underlined text and line/cross-outs.

ADD the attached Amendment Number 0001 STANDARD FORM 30 to the Specifications.

SECTION 00010: DELETE page 00010-1 (STANDARD FORM 1442). REPLACE with the attached revised page 00010-1 (STANDARD FORM 1442).

SECTION 00010A: LINE ITEMS AND PRICING SCHEDULE; DELETE page 00010A-1 and REPLACE with the attached revised page 00010A-1.

SECTION 00800A: WAGE DETERMINATIONS AND OTHER ATTACHMENTS; DELETE General Decision Number FL020054 in it's entirety (2 pages).

SECTION 00100: GENERAL REQUIREMENTS; DELETE SECTION 01000 excluding the Appendices and REPLACE with the attached revised SECTION 01000. Also, ADD new APPENDIX 01000-C, CONTROL MONUMENT DESCRIPTIONS (2 pages).

SECTION 01270: MEASUREMENT AND PAYMENT; DELETE SECTION 01270 and REPLACE with the attached revised SECTION 01270.

SECTION 01310: ADMINISTRATIVE PROCEDURES; DELETE SECTION 01310 excluding the Appendices and REPLACE with the attached revised SECTION 01310.

SECTION 01330: SUBMITTAL PROCEDURES; DELETE SECTION 01330 including APPENDIX 01330-A (Submittal Register) and REPLACE with the attached revised SECTION 01330 and the attached revised APPENDIX 01330-A (Submittal Register). APPENDIX 01330-B remains unchanged.

SECTION 01355: ENVIRONMENTAL PROTECTION; DELETE SECTION 01355 and REPLACE with the attached revised SECTION 01355. Also, DELETE APPENDICES 01355-C through 01355-L in their entirety. APPENDICES 01355-A and 01355-B remain unchanged and APPENDICES 01355-J, 01355-K and 01355-L have been renumbered as 01355-C, 01355-D and 01355-E, respectively and are attached with Am #0001 for REPLACEMENT.

SECTION 01411: TURBIDITY AND DISPOSAL MONITORING; DELETE SECTION 01411, excluding the Appendices and REPLACE with the attached revised SECTION 01411.

SECTION 02325: DREDGING; DELETE SECTION 02325, including pages 02325-A3 and 02325-A4 of APPENDIX 02325-A. REPLACE with the attached revised SECTION 02325. APPENDICES 02325-A, (pages 02325-A1 and 02325-A2), 02325-B, 02325-C, 02325-D and 02325-E remain unchanged.

**DESCRIPTIVE SPECIFICATION CHANGES:** The following are descriptive changes to the specifications. Specifications should be adequately marked to indicate that they have been changed.

SECTION 00100: INSTRUCTIONS TO OFFERORS/EVALUATION FACTORS FOR AWARD; on page 00100-2, paragraph 52.214-1 SOLICITATION DEFINITIONS-SEALED BIDDING (JUL 1987), is DELETED in its entirety.

SECTION 00100: INSTRUCTIONS TO OFFERORS/EVALUATION FACTORS FOR AWARD; on page

00100-7, in paragraph 52.236-27, CHANGE the telephone number from "561-626-0026" to "561-626-8195".

SECTION 00600: REPRESENTATIONS & CERTIFICATIONS; on pages 00600-5 through 00600-7, paragraph 52.219-1 SMALL BUSINESS PROGRAM REPRESENTATIONS (MAY 2001) ALTERNATE I (OCT 2000) & ALTERNATE II (OCT 2000), is DELETED in its entirety and REPLACED with the following paragraph 52.219-1 SMALL BUSINESS PROGRAM REPRESENTATIONS (APR 2000) ALTERNATE I (APR 2002)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is 234990.

(2) The small business size standard is \$17 million.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b) Representations. (1) The offeror represents as part of its offer that it ( ) is, ( ) is not a small business concern.

(2) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, for general statistical purposes, that it ( ) is, ( ) is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a women-owned small business concern.

(4) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a veteran-owned small business concern.

(5) (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a service-disabled veteran-owned small business concern.

(6) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, as part of its offer, that--

(i) It ( ) is, ( ) is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

(ii) It ( ) is, ( ) is not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (b)(6)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. (The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: \_\_\_\_\_.) Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(7) (Complete if offeror represented itself as disadvantaged in paragraph (b)(2) of this provision.) The offeror shall check the category in which its ownership falls:

( ) Black American.

( ) Hispanic American.

( ) Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).

( ) Asian-Pacific American (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).

( ) Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).

(c) Definitions. As used in this provision--

Service-disabled veteran-owned small business concern--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

Small business concern means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

Veteran-owned small business concern means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

Women-owned small business concern means a small business concern --

(1) That is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; or

(2) Whose management and daily business operations are controlled by one or more women.

(d) Notice.

(1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.

(2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall--

(i) Be punished by imposition of fine, imprisonment, or both;

(ii) Be subject to administrative remedies, including suspension and debarment; and

(iii) Be ineligible for participation in programs conducted under the authority of the Act.

(End of provision)

SECTION 00700: CONTRACT CLAUSES; page 00700-12, Contract Clause 52.211-12 LIQUIDATED DAMAGES--CONSTRUCTION (SEP 2000), in paragraph (a), CHANGE the liquidated damages amount from "-- \$717.00 for each calendar day of delay --" to "-- \$1,224.00 for each calendar day of delay --".

**2. DRAWINGS:** D. O. File No. 14-38,259 dated January 2002 in 12 Sheets + Cover: DELETE Drawing No. 1/3 and REPLACE with the attached revised Drawing No. 1/3. All other Drawing Nos. and Cover remain unchanged.

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. CONTRACT ID CODE \_\_\_\_\_ PAGE OF PAGES \_\_\_\_\_

2. AMENDMENT/MODIFICATION NO. **0001** 3. EFFECTIVE DATE **17 May 02** 4. REQUISITION/PURCHASE REQ. NO. \_\_\_\_\_ 5. PROJECT NO. (If applicable) \_\_\_\_\_

6. ISSUED BY \_\_\_\_\_ CODE \_\_\_\_\_ 7. ADMINISTERED BY (If other than Item 6) \_\_\_\_\_ CODE \_\_\_\_\_

Jacksonville District Office  
U.S. Army Corps of Engineers  
400 West Bay Street  
Jacksonville, FL 32202-4412  
John Szep (904) 232-1131

Jacksonville District Office  
U.S. Army Corps of Engineers  
400 West Bay Street  
Jacksonville, FL 32202-4412

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) \_\_\_\_\_

() 9A. AMENDMENT OF SOLICITATION NO. **DACW17-02-B-0014**

() 9B. DATED (SEE ITEM 11) \_\_\_\_\_

10A. MODIFICATION OF CONTRACTS/ORDER NO. \_\_\_\_\_

10B. DATED (SEE ITEM 13) \_\_\_\_\_

CODE \_\_\_\_\_ FACILITY CODE \_\_\_\_\_

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers tended.  is extended,  is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning 0 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required) \_\_\_\_\_

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

() A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: \_\_\_\_\_

D. OTHER (Specify type of modification and authority) \_\_\_\_\_

**E. IMPORTANT:** Contractor  is not,  is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

**MAINTENANCE DREDGING 28 AND 30-FOOT PROJECT, FT. PIERCE HARBOR, ST. LUCIE COUNTY, FLORIDA.**

**THIS SOLICITATION IS HEREBY POSTPONED TEMPORARILY. A NEW CD-ROM WILL NOT BE ISSUED FOR THIS AMENDMENT. A NEW DATE FOR RECEIPT OF PROPOSALS WILL BE ESTABLISHED BY SUBSEQUENT AMENDMENT.**

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) \_\_\_\_\_ 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) **CLAUDIA H. HUNDLEY**

15B. CONTRACTOR/OFFEROR \_\_\_\_\_ 15C. DATE SIGNED \_\_\_\_\_ 16B. UNITED STATES OF AMERICA \_\_\_\_\_ 16C. DATE SIGNED \_\_\_\_\_

(Signature of person authorized to sign) \_\_\_\_\_ BY \_\_\_\_\_ (Signature of Contracting Officer)

<b>SOLICITATION, OFFER, AND AWARD</b> <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NO. DACW17-02-B-0014	2. TYPE OF SOLICITATION <input checked="" type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 25-Apr-2002	PAGE OF PAGES 1 OF 128
	<b>IMPORTANT - The "offer" section on the reverse must be fully completed by offeror.</b>			

4. CONTRACT NO.	5. REQUISITION/PURCHASE REQUEST NO. W32CS520717528	6. PROJECT NO.
-----------------	---	----------------

7. ISSUED BY USA ENGINEER DISTRICT, JACKSONVILLE 400 WEST BAY STREET CESAJ-CT (ROOM 867) JACKSONVILLE FL 32202-4412	CODE DACW17	8. ADDRESS OFFER TO <i>(If Other Than Item 7)</i> BY HAND: DELIVER TO "ISSUED BY" ADDRESS BY MAIL: USAED JACKSONVILLE, PO BOX 4970, ATTN: CESAJ-CT JACKSONVILLE FL 32232-0019	CODE DACW17
TEL:	FAX:	TEL:	FAX:

9. FOR INFORMATION CALL:	A. NAME JOHN G SZEP	B. TELEPHONE NO. <i>(Include area code)</i> <b>(NO COLLECT CALLS)</b> 904-232-1131
--------------------------	------------------------	---

**SOLICITATION**

**NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".**

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS *(Title, identifying no., date):*

MAINTENANCE DREDGING, 28 AND 30-FOOT PROJECT, FT. PIERCE HARBOR, ST. LUCIE COUNTY, FLORIDA.

DRAWINGS: D.O. FILE NO. 14-38.259, DATED JANUARY 2002, 12 SHEETS PLUS COVER.

DESCRIPTION OF THE WORK: The Ft. Pierce maintenance dredging project work will consist of dredging approximately 75,000 cubic yards of material from Cut -1, and the Turning Basin. All dredged material (except that between Sta. 107+00 and 109+00 of Cut -1) will be placed in the Ft. Pierce Ocean Disposal Area, which is located approximately 5.4 miles from the tip of the south jetty of Ft. Pierce Harbor. Work will also include turbidity monitoring and endangered species observer/monitoring. Cut -1, Sta. 107+00 to Sta. 109+00 Project Depth 28', Allowable Overdepth 1'. For Turning Basin Project Depth 28', Allowable Overdepth 1'.

MAGNITUDE OF CONSTRUCTION IS BETWEEN: \$1,000,000.00 and \$5,000,000.00.

THIS ACQUISITION IS UNRESTRICTED. ALL FIRMS ARE ENCOURAGED TO SUBMIT A BID. YOU MUST BE REGISTERED IN THE CENTRAL CONTRACTOR REGISTRATION IN ORDER TO BE ELIGIBLE TO RECEIVE AN AWARD FROM THIS SOLICITATION. CALL 1-888-227-2423 OR VISIT THE FOLLOWING WEB SITE: <http://www.ccr.gov> FOR MORE INFORMATION.

11. The Contractor shall begin performance within 30 calendar days and complete it within 60 calendar days after receiving  award,  notice to proceed. This performance period is  mandatory,  negotiable. *(See Section 00700 \_\_\_\_\_.)*

12 A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? <i>(If "YES," indicate within how many calendar days after award in Item 12B.)</i> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	12B. CALENDAR DAYS 10
--	--------------------------

13. ADDITIONAL SOLICITATION REQUIREMENTS:

A. Sealed offers in original and 1 copies to perform the work required are due at the place specified in Item 8 by 14:00:00 (hour) local time 06/04/2002 (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due.

B. An offer guarantee  is,  is not required.

C. All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.

D. Offers providing less than 60 calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.

**SOLICITATION, OFFER, AND AWARD (Continued)**  
(Construction, Alteration, or Repair)

**OFFER (Must be fully completed by offeror)**

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code)		15. TELEPHONE NO. (Include area code)
		16. REMITTANCE ADDRESS (Include only if different than Item 14)
		<b>See Item 14</b>
CODE	FACILITY CODE	

17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation, if this offer is accepted by the Government in writing within \_\_\_\_\_ calendar days after the date offers are due. (Insert any number equal to or greater than the minimum requirements stated in Item 13D. Failure to insert any number means the offeror accepts the minimum in Item 13D.)

AMOUNTS SEE SCHEDULE OF PRICES

18. The offeror agrees to furnish any required performance and payment bonds.

**19. ACKNOWLEDGMENT OF AMENDMENTS**

(The offeror acknowledges receipt of amendments to the solicitation - give number and date of)

AMENDMENT NO.										
DATE										

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)	20B. SIGNATURE	20C. OFFER DATE
--	----------------	-----------------

**AWARD (To be completed by Government)**

21. ITEMS ACCEPTED:

**SEE SCHEDULE**

22. AMOUNT	23. ACCOUNTING AND APPROPRIATION DATA
------------	---------------------------------------

24. SUBMIT INVOICES TO ADDRESS SHOWN IN (4 copies unless otherwise specified)	ITEM 28	25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO <input type="checkbox"/> 10 U.S.C. 2304(c) <input type="checkbox"/> 41 U.S.C. 253(c)
---	---------	--

26. ADMINISTERED BY SOUTH FLORIDA AREA OFFICE USA CORPS OF ENGINEERS ((CESAJ-CO-W) 4400 PGA BLVD, SUITE 203 PALM BEACH GARDENS, FL 33410 (PHONE: 561-626-5299)	CODE K3M0J00	27. PAYMENT WILL BE MADE BY USACE FINANCE CENTER 5722 INTEGRITY DRIVE ATTN: CEFC-AO-P MILLINGTON, TN 38054-5005	CODE 10b0200
---	-----------------	---	-----------------

**CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE**

<input type="checkbox"/> 28. NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all work, requisitions identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, certifications, and specifications or incorporated by reference in or attached to this contract.	<input type="checkbox"/> 29. AWARD (Contractor is not required to sign this document.) Your offer on this solicitation, is hereby accepted as to the items listed. This award consummates the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.
---	--

30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN (Type or print)	31A. NAME OF CONTRACTING OFFICER (Type or print)
--	--

30B. SIGNATURE	30C. DATE	31B. UNITED STATES OF AMERICA BY	31C. AWARD DATE
----------------	-----------	----------------------------------	-----------------

SECTION 00010A

LINE ITEMS AND PRICING SCHEDULE

**MAINTENANCE DREDGING, 28- AND 30-FOOT PROJECT,  
FT. PIERCE HARBOR, ST. LUCIE COUNTY, FLORIDA**

<u>LINE ITEM</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT MEASURE</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
0001	MOBILIZATION AND DEMOBILIZATION (SEE SECTION 00800)	1	LUMP SUM		\$ _____
0002	EXCAVATION, UNCLASSIFIED (ESTIMATED QUANTITY - SEE NOTE 1) CUT-1 STA. 107+00 TO STA. 109+00, USING FT. PIERCE CHANNEL DISPOSAL AREA, TURNING BASIN STA. 0+00 TO STA. 20+50, * USING FT. PIERCE OCEAN DISPOSAL AREA.	75,000	CUBIC YARD	\$ _____	\$ _____
0003	ENDANGERED SPECIES MONITORING * (SEE SECTION 01355: ENVIRONMENTAL PROTECTION)	1	LUMP SUM		\$ _____
0004	TURBIDITY MONITORING (SEE SECTION 01411: TURBIDITY MONITORING)	1	LUMP SUM		\$ _____
<b>TOTAL BID (LINE ITEMS 0001 THROUGH 0004)</b>					<b>\$ _____</b>

- NOTES:
- (1) QUANTITY INCLUDES REQUIRED DEPTH, ALLOWABLE OVERDEPTH, AND SHOALING ESTIMATED TO OCCUR BETWEEN DATES OF SURVEYS AND ACTUAL DREDGING.
  - (2) BIDDERS MUST BID ON ALL LINE ITEMS. SEE PROVISION AT 52.214-18 (SECTION 00100)
  - (3) FAILURE TO COMPLETE AND RETURN ALL REQUIRED SUBMISSIONS (SF 1442, SECTION 00010, AND SECTION 00600) COULD RENDER YOUR BID NONRESPONSIVE.
  - (4) SEE SECTION 00100, "INSTRUCTIONS TO OFFERORS / EVALUATION FACTORS FOR AWARD."

SECTION TABLE OF CONTENTS

DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01000

GENERAL REQUIREMENTS

PART 1 GENERAL

- 1.1 REFERENCES
- 1.2 SUBMITTALS
- 1.3 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK
- 1.4 LIQUIDATED DAMAGES-CONSTRUCTION
- 1.5 PHYSICAL DATA
  - 1.5.1 Physical Conditions
  - 1.5.2 Location
  - 1.5.3 Weather Conditions
    - 1.5.3.1 Publications
  - 1.5.4 Transportation Facilities
    - 1.5.4.1 Major Highways, Airports, Port Facilities, and Rail Access
    - 1.5.4.2 Contractor Investigation
  - 1.5.5 Maritime Traffic
  - 1.5.6 Local Conditions - Water Stages and Tides
    - 1.5.6.1 Water Fluctuations
    - 1.5.6.2 Water Stages
  - 1.5.7 Subsurface Investigations
  - 1.5.8 Obstruction of Channel
- 1.6 LAYOUT OF WORK
  - 1.6.1 Established Monuments
  - 1.6.2 Layout
  - 1.6.3 Survey
- 1.7 CRITICAL LIFT PLAN OPERATION
  - 1.7.1 Definition of a Critical Lift
  - 1.7.2 Critical Lift Plan Submittal
- 1.8 HURRICANE AND SEVERE STORM PLAN
  - 1.8.1 Plan Contents
  - 1.8.2 Sample Plan
  - 1.8.3 Monitoring of Weather
- 1.9 SAMPLE - HURRICANE AND SEVERE STORM PLAN
- 1.10 CORE BORING LOGS AND LABORATORY DATA
- 1.11 CONTROL MONUMENT DESCRIPTIONS

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION (NOT APPLICABLE)

-- End of Section Table of Contents --

SECTION 01000

GENERAL REQUIREMENTS

PART 1 GENERAL

1.1 REFERENCES

The publication listed below forms a part of this specification to the extent referenced. The publication is referred to in the text by basic designation only.

ENGINEERING MANUALS (EM)

EM 385-1-1 (1996) Safety and Health Requirements Manual

1.2 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals having an "FIO" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. The following shall be submitted in accordance with Section 01330 SUBMITTAL PROCEDURES:

SD-01 Preconstruction Submittals

Hurricane and Severe Storm Plan; G|COR.

Refer to paragraph HURRICANE AND SEVERE STORM PLAN below.

SD-07 Certificates

Critical Lift Plan; G|COR.

Submit a Plan for non-routine crane lifts whenever crane loads meet or exceed 75 percent of crane load capacity in any configuration to comply with EM 385-1-1. Refer to paragraph CRITICAL LIFT PLAN OPERATION below.

1.3 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK

a. Read this paragraph in conjunction with the Clause COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (FAR 52.211-10) of Section 00700 CONTRACT CLAUSES.

b. In addition to the above, the following shall apply: The words "commence work" means "commence dredging." The commencement time of 30 days applies unless precluded by inclement weather as determined by the Contracting Officer.

1.4 LIQUIDATED DAMAGES-CONSTRUCTION

Refer to the Clause LIQUIDATED DAMAGES-CONSTRUCTION (SEP 2000) (FAR 52.211-12) of Section 00700 CONTRACT CLAUSES.

1.5 PHYSICAL DATA

Read this paragraph in conjunction with the Clause PHYSICAL DATA (FAR 52.236-4) of Section 00700 CONTRACT CLAUSES.

#### 1.5.1 Physical Conditions

The indications of physical conditions on the drawings and in the specifications are the result of site investigations by surveys and/or by core borings. When the indicated physical conditions are the result of site investigations by core borings, the core boring logs and laboratory data are appended to the end of this Section and the core boring locations are shown on the drawings. While the Government's borings are representative of subsurface conditions at their respective locations and vertical reaches, local variations characteristic of the rocks and subsurface materials of this region are to be expected. Some of the material recovered from the core borings is available for inspection by prospective bidders at the Corps of Engineers District Warehouse, Talleyrand Avenue at 20th Street, Jacksonville, Florida during the entire bid period, and prospective bidders are strongly urged to examine the material and assure themselves that they have made the best possible evaluation of the subsurface conditions. See Core Boring Notes. Prospective bidders shall notify the Jacksonville District Explorations Manager at (904) 232-3295 at least four (4) working days before the visit with the following information: (1) the project title; (2) the specific core borings or entire set which are to be viewed; (3) the date, time, and duration of the visit; (4) the name of the person(s) and company to view the borings; and, (5) a point of contact and phone number regarding the visit. Bidders shall form their own conclusions from this examination prior to submission of their bids. Bidders shall record their core examination visit in a record book maintained at the inspection site.

#### 1.5.2 Location

The Ft. Pierce Harbor is located on the east coast of Florida, St. Lucie County, Florida.

#### 1.5.3 Weather Conditions

The project area is subject to tropical storms and hurricanes from June through November, and to windy and/or rainy weather during any time of the year. The climate of the area is essentially subtropical, marine. Temperatures below freezing are rare. The wet season in the project area is from May through October. In general, the winter months constitute the dry season and rainfall is usually associated with mid-latitude systems (fronts and low pressure systems) and is distributed in a spatially uniform pattern. The summer months comprise the wet season and rainfall is closely associated with convective activity. These rainfall events are normally of short duration and amounts are quite variable spatially. Occasionally, daily rainfall in the dry season can be quite heavy as mid-latitude systems penetrate into Florida.

Given the relatively sheltered location of the project site within the inlet, it is unlikely that waves of 3 feet or greater will be encountered in the area a majority of the time.

It shall be the Contractor's responsibility to obtain information concerning rain and wind. Reference is made to the following publication, which contains climatological and meteorological observations and data. The below is available for review in the office of the U.S. Army Corps of

Engineers, Jacksonville District, 400 West Bay Street, Jacksonville, Florida.

"Local Climatological Data - Monthly Summary" published by NOAA, Asheville, North Carolina. Subscription price and ordering information available from the National Climatic Data Center, Federal Building, Asheville, North Carolina 28801. This publication gives hourly wind speed and direction observations for Palm Beach International Airport, West Palm Beach, Florida. The Annual Summary gives a summary of the observations for the period of record.

#### 1.5.3.1 Publications

The following references contain wave, wind and tide information and are available for review in the Jacksonville District Office or can be purchased from the agencies indicated:

- a. Hindcast Wave Information for the U.S. Atlantic Coast, Wave Information Studies of U.S. Coastlines, WIS Report 30, Waterways Experiment Station, March 1993.

This report presents 20-year wave hindcast summaries at various stations located along the U.S. Atlantic Ocean shoreline. Available data includes wave height, period, and direction tables for the 20-year periods 1956-1975. This report also includes summary wave and wind roses, summary tables of mean wave heights by month and year, largest wave heights by month and year, a statistical summary of wave data, and a table of extreme wave events. This publication is available from National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22151. Time series listings of wave data for both 20-year periods and some summary information are available at the Waterways Experiment Station website at: <http://bigfoot.wes.army.mil/u003.html>.

- b. U.S. Coast Pilot, Atlantic Coast: Cape Henry to Key West, U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service.

This publication supplements the navigational information shown on the nautical charts. It also provides miscellaneous meteorological data. This publication is available through NOAA.

- c. East Coast of North and South America Tide Tables, U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service.

Provides daily tidal predictions at locations along the coastline of North and South America, including locations in the vicinity of the project. It also provides mean and spring tide ranges and mean tide levels. Some astronomical data is also included, such as time of sunrise, sunset, moonrise, and moonset. This publication is available through NOAA.

- d. National Data Buoy Center (NDBC) Website.

This website provides a wide range of real-time and archived meteorological and oceanographic buoy data collected worldwide. Data provided include wind speed, wind gusts, atmospheric pressure, air temperature, sea temperature, wave height, and wave period. Gage readings are updated hourly, and archived data is available from 1991 to present. The Internet address of this website is: <http://www.ndbc.noaa.gov/>.

#### 1.5.4 Transportation Facilities

##### 1.5.4.1 Major Highways, Airports, Port Facilities, and Rail Access

The port facilities of Ft. Pierce are served by U. S. Highway No. 1, Sunshine State Parkway, Florida East Coast Railway, and the Intracoastal Waterway.

##### 1.5.4.2 Contractor Investigation

In addition to the information given in the contract drawings, the Contractor shall make his own investigation of available roads for transportation, load limits for bridges and roads, and other road conditions affecting the transportation of materials and equipment to the site. The Contractor shall investigate the availability of railroad sidings, and shall make all arrangements for use of any sidings for the delivery of any materials and equipment to be used on the work.

##### 1.5.5 Maritime Traffic

Marine Traffic in the project area consists of commercial, pleasure, and small recreational vessels of all types and sizes which can be accommodated by existing depths.

##### 1.5.6 Local Conditions - Water Stages and Tides

###### 1.5.6.1 Water Fluctuations

The below stated water fluctuations are for information only and are not to be utilized in conjunction with any contract related hydrographic surveying. Reference should be made to the water level datum for surveying purposes as noted on the control drawings(s) of the contract plans.

###### 1.5.6.2 Water Stages

Water levels in the project area are mainly affected by wind and tidal fluctuations in the Atlantic Ocean. The project area is also subject to storm surges from hurricanes and tropical storms from June through November and to windy and/or rainy spells during any season of the year. Tidal data for the area are provided in the following table:

FLORIDA 872 2212

U.S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
NATIONAL OCEAN SERVICE

TIDAL BENCH MARKS

FORT PIERCE, SOUTH JETTY, FORT PIERCE INLET

LATITUDE: 27 degrees 28.2 minutes N  
LONGITUDE: 80 degrees 17.3 minutes W  
NOAA CHART: 11474 USGS QUAD: FORT PIERCE

Tidal data at FORT PIERCE, SOUTH JETTY, FORT PIERCE INLET are based on the following:

LENGTH OF SERIES = 6 MONTHS  
TIME PERIOD = JUNE-NOVEMBER 1972  
TIDAL EPOCH = 1960-1978  
CONTROL TIDE STATION = MIAMI (872 3170)]

Elevations of tidal datums referred to mean lower low water (MLLW) are as follows:

HIGHEST OBSERVED WATER LEVEL (10/22/1972) = 4.32 FEET  
MEAN HIGHER HIGH WATER (MHHW) = 3.04 FEET  
MEAN HIGH WATER (MHW) = 2.82 FEET  
MEAN TIDE LEVEL (MTL) = 1.52 FEET  
\*NATIONAL GEODETIC VERTICAL DATUM-1929 (NGVD) = 1.32 FEET  
MEAN LOW WATER (MLW) = 0.21 FEET  
MEAN LOWER LOW WATER (MLLW) = 0.00 FEET  
LOWEST OBSERVED WATER LEVEL (07/06/1972) = -0.79 FEET

\*NGVD is based on elevations published in Quad 270802, 1972, and NOS leveling of 1980.

Additional information may be found at the National Oceanic and Atmospheric Administration (NOAA) website address:  
<http://co-ops.nos.noaa.gov/bench.html>.

#### 1.5.7 Subsurface Investigations

Refer to core boring logs and laboratory data appended to the end of this Section.

#### 1.5.8 Obstruction of Channel

The Government will not undertake to keep the channel free from vessels or other obstructions, except to the extent of such regulations, if any, as may be prescribed by the Secretary of the Army, in accordance with the provisions of Section 7 of the River and Harbor Act approved 8 August 1917.

The Contractor will be required to conduct the work in such manner as to obstruct navigation as little as possible, and in case the Contractor's plant so obstructs the channel as to make difficult or endanger the passage of any vessels, said plant shall be promptly moved on the approach of any vessel to such an extent as may be necessary to afford a practicable passage. Upon completion of the work the Contractor shall promptly remove his plant, including ranges, buoys, piles, and other marks placed by him under the contract in navigable waters or on shore.

#### 1.6 LAYOUT OF WORK

##### 1.6.1 Established Monuments

The Government has established monuments, control data and elevations for the work site as indicated on the contract drawings. Control monument descriptions are appended to the end of this Section.

##### 1.6.2 Layout

From the monuments, control data and elevations established by the Government, the Contractor shall complete the layout of the work and shall be responsible for all measurements that may be required for the execution of the work to the location and limit marks prescribed in the specifications or on the contract drawings, subject to such modifications

as the Contracting Officer may require to meet changed conditions or as a result of necessary modifications to the contract work.

### 1.6.3 Survey

The Contractor shall furnish, at his own expense, such stakes, templates, platforms, equipment, tools and material, and all labor as may be required in laying out any part of the work from the monuments, control data and elevations established by the Government. It shall be the responsibility of the Contractor to maintain and preserve all stakes and other marks established by the Contracting Officer until authorized to remove them, and if such marks are destroyed by the Contractor or through his negligence, prior to their authorized removal, they may be replaced by the Contracting Officer, at his discretion, and the expense of replacement will be deducted from any amounts due or to become due the Contractor. The Contracting Officer may require that work be suspended at any time when location and limit marks established by the Contractor are not reasonably adequate to permit checking of the work.

## 1.7 CRITICAL LIFT PLAN OPERATION

### 1.7.1 Definition of a Critical Lift

A non-routine crane lift which requires detailed planning and additional or unusual safety precautions. Critical lifts include lifts made when the load weight is 75 percent of the rated capacity of the crane; lifts which require that the load will be lifted, swung, or placed out of the operator's view; lifts made with more than one crane; lifts involving a non-routine or technically difficult rigging arrangement; or, any lift which the crane operator believes should be considered critical.

### 1.7.2 Critical Lift Plan Submittal

In such a case, the Contractor shall submit a Critical Lift Plan, hereinafter referred to as "Plan", prior to making a critical lift. The Plan shall be prepared by the crane operator, lift supervisor, and rigger. All personnel involved in the lift shall review and sign the Plan. The Plan shall be documented and a copy provided to the Contracting Officer for approval. The Plan shall be submitted at the Preconstruction Conference to permit time for review and shall contain the following information:

- a. The Plan shall specify the exact size and weight of the load to be lifted as well as all crane and rigging components which add to the weight.
- b. The Plan shall specify the lift geometry and procedures, including the crane position, height of the lift, the load radius, the boom length, and angle for the entire range of the lift.
- c. The Plan shall designate the crane operator, lift supervisor, and rigger, and state their qualifications.
- d. The Plan shall include a rigging plan which shows the lift points, describes rigging procedures, and hardware requirements.
- e. The Plan shall describe the ground conditions, outrigger or crawler track requirements, and if necessary, the design of mats necessary to achieve a level, stable foundation of sufficient bearing capacity for the lift. For floating cranes or derricks, the plan shall describe the

operating base (platform) condition.

f. The Plan shall list environmental conditions under which lift operations are to be stopped.

g. The Plan shall specify coordination and communication requirements for the lift operation.

h. For tandem or tailing crane lifts, the Plan shall specify the make and model of the cranes, the line, boom and swing speeds, and requirements for an equalizer beam.

## 1.8 HURRICANE AND SEVERE STORM PLAN

### 1.8.1 Plan Contents

Within 20 calendar days after the Notice of Award, the Contractor shall submit as an attachment to his Accident Prevention Plan, a Hurricane and Severe Storm Plan for review and acceptance. This plan shall include but not be limited to the following:

a. Types of storms anticipated (Winter storm, Hurricane, Tornado).

b. Time intervals before storms when action will be taken and details of the actions taken.

c. List of the equipment to be used on the job and its ability to handle adverse weather.

d. List of safe harbors and the distance from the work area to these harbors and the time required to move the equipment to these harbors. Copies of letters of approval for the use of these safe harbors (local authorities, U.S. Coast Guard, etc.) where applicable.

e. Method of securing equipment in these safe harbors.

f. List of equipment to be utilized to make this move to safe harbors (tug boats, work boats, etc.), to include the name and horsepower of this equipment.

g. Methods of securing equipment not moved; i.e., pipelines (floating or submerged), pumpout stations, etc.

h. Plan of evacuation to include interim measures, i.e., immediate reaction plans to be taken for all storm occurrences, particularly sudden/flash storms.

i. Operating procedures to be undertaken when critical dredge equipment fails during sudden and severe adverse weather conditions, to include breaking of spuds, swing wires, anchor wires, or other mooring equipment or facilities.

### 1.8.2 Sample Plan

Appended to the end of this Section is a sample Hurricane and Severe Storm Plan to be used for illustrative purposes only.

### 1.8.3 Monitoring of Weather

The Contractor shall maintain full-time monitoring of the NOAA marine weather broadcasts, and avail themselves of such other local commercial weather forecasting services as may be available. These information broadcasts shall be the Contractor's primary source in the decision process to implement action under the approved storm plan.

1.9 SAMPLE - HURRICANE AND SEVERE STORM PLAN

See APPENDIX 01000-A at the end of this Section (4 pages).

1.10 CORE BORING LOGS AND LABORATORY DATA

See APPENDIX 01000-B at the end of this Section (12 pages).

1.11 CONTROL MONUMENT DESCRIPTIONS

See APPENDIX 01000-C at the end of this Section (2 pages).

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION (NOT APPLICABLE)

-- End of Section --

\*

Monument ID: SL FH 0014

Locality-Project : FORT PIERCE  
 Latitude X(E) : 0° 0' 0.00000"  
 Zone : FLE  
 Horizontal Datum : NAD-27  
 Order : THIRD  
 State : FL  
 Monument Set By : USACOE

Date Added : 890720

Recovered By :  
 Company (1) EMC  
 Person (1) P. LOLLAR  
 Date (1) 4/94  
 Condition (1) GOOD

LOCATED IN ST. LUCIE COUNTY, FT. PIERCE HARBOR, FLORIDA.

TO REACH BY ROAD FROM EAST END OF FT. PIERCE BRIDGE, PROCEED EAST ON ROUTE  
 A1A 1.2 MILES TO SEA TERN CONDOMINIUM 1630 SEAWAY DRIVE ON NORTH SIDE OF  
 HIGHWAY, GO NORTH THROUGH VACANT LOT TO CONCRETE SEAWALL AT WATER'S EDGE,  
 PROCEED WEST ALONG SEAWALL TO STATION LOCATION.

STATION IS LOCATED AT WEST END OF SEAWALL WHERE IT TAKES TURN TO SOUTH,  
 32.5 FROM END OF SOUTH LEG OF SEAWALL AND 250 FEET WEST OF EAST END OF  
 SEAWALL.

STATION IS A STANDARD USACOE BRONZE DISK, GROUTED FLUSH IN CONCRETE  
 SEAWALL, AND STAMPED: "RPS FH-14, JAX, FL, 1975".

Monument Type : DISK  
 Longitude Y(N) : 0° 0' 0.00000"  
 Elevation :  
 Vertical Datum : NGVD-29  
 Linear Units : FEET  
 Date Set : 1975  
 County : ST.LUCIE

Date Changed : 020513

(2) ARC  
 (2) C. HILL  
 (2) 10/94  
 (2) GOOD

\*

\*

Monument ID: SL INDIAN 1984

Locality-Project : FT PIERCE  
 Latitude X(E) : 0° 0' 0.00000"  
 Zone : FLE  
 Horizontal Datum : NAD-27  
 Order : THIRD  
 State : FL  
 Monument Set By : USACOE

Date Added : 890720

Recovered By :  
 Company (1)  
 Person (1)  
 Date (1)  
 Condition (1)

Monument Type : DISK  
 Longitude Y(N) : 0° 0' 0.00000"  
 Elevation :  
 Vertical Datum : NGVD-29  
 Linear Units : FEET  
 Date Set : 1984  
 County : ST.LUCIE

Date Changed : 020513

STATION IS LOCATED ON SEAWALL AT WEST END OF TURNING BASIN IN FT. PIERCE, FLORIDA.

TO REACH FROM THE INTERSECTION OF U.S. HIGHWAY. 1 AND FISHERMAN'S WHARF ROAD, PROCEED EAST 0.1 MILE TO TERMINAL DRIVE, THENCE NORTHEAST ON TERMINAL DRIVE 0.15 MILE TO THE EAST END OF INDIAN RIVER TERMINAL WAREHOUSE AND STATION LOCATION.

STATION IS LOCATED ON NORTHEAST CORNER OF CONCRETE SEAWALL, 87.1 FEET NORTHEAST OF NORTHEAST CORNER OF WAREHOUSE AND 2.5 FEET WEST OF EASTERLY EDGE OF SEAWALL.

STATION IS STANDARD U.S.A.C.O.E. BRONZE DISK GROUTED FLUSH WITH TOP OF CONCRETE AND STAMPED: "INDIAN 1984".

\*

SECTION TABLE OF CONTENTS

DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01270

MEASUREMENT AND PAYMENT

PART 1 GENERAL

1.1 LUMP SUM PAYMENT ITEMS

1.1.1 Mobilization and Demobilization (Line Item 0001)

1.1.2 Endangered Species Observers (Line Item 0003)

1.1.3 Turbidity Monitoring (Line Item 0004)

1.2 UNIT PRICE PAYMENT ITEMS

1.2.1 Excavation, Unclassified (Line Item 0002)

1.2.1.1 Payment

1.2.1.2 Measurement

1.2.1.3 Unit of Measure

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION (NOT APPLICABLE)

-- End of Section Table of Contents --

SECTION 01270

MEASUREMENT AND PAYMENT

PART 1 GENERAL

1.1 LUMP SUM PAYMENT ITEMS

Payment items for the work of this contract for which contract lump sum payments will be made are listed in the LINE ITEMS AND PRICING SCHEDULE and described below. All costs for items of work, which are not specifically mentioned to be included in a particular lump sum or unit price payment item, shall be included in the listed lump sum item most closely associated with the work involved. The lump sum price and payment made for each item listed shall constitute full compensation for furnishing all plant, labor, materials, and equipment, and performing any associated Contractor quality control, environmental protection, meeting safety requirements, tests and reports, and for performing all work required for which separate payment is not otherwise provided.

1.1.1 Mobilization and Demobilization (Line Item 0001)

a. Payment will be made for costs associated with or incidental to mobilization and demobilization and establishment of initial project management and coordination. See Clause PAYMENT FOR MOBILIZATION AND DEMOBILIZATION of Section 00700 CONTRACT CLAUSES and Section 01310 ADMINISTRATIVE PROCEDURES.

~~b. Payment will be made for costs associated with or incidental to mobilization and demobilization for sea turtle trawling and relocation (For Hopper Dredges Only). See Section 01355 ENVIRONMENTAL PROTECTION.~~

1.1.2 Endangered Species Observers ~~(For Hopper Dredges Only)~~ (Line Item 0003)

Payment will be made for costs associated with or incidental to endangered species observers. See Section 01355 ENVIRONMENTAL PROTECTION.

1.1.3 Turbidity Monitoring (Line Item 0004)

Payment will be made for costs associated with or incidental to obtaining, analyzing, and reporting the results of monitoring for turbidity. See Section 01411 TURBIDITY MONITORING.

1.2 UNIT PRICE PAYMENT ITEMS

Payment items for the work of this contract on which the contract unit price payments will be made are listed in the BIDDING SCHEDULE and described below. The unit price and payment made for each item listed shall constitute full compensation for furnishing all plant, labor, materials, and equipment, and performing any associated Contractor quality control, environmental protection, meeting safety requirements, tests and reports, and for performing all work required for each of the unit price items.

1.2.1 Excavation, Unclassified (Line Item 0002)

1.2.1.1 Payment

a. Payment will be made for costs associated with or incidental to excavation, transportation, and disposal of materials; providing and maintaining access to the work site(s) and disposal area(s); removal of utility cable; noise control; debris removal; installation, operation or maintenance of the electronic tracking system for surveillance of all dredging and disposal activities; nearshore disposal area marking; and, monitoring sea turtles. See Sections 02325 DREDGING and 01355 ENVIRONMENTAL PROTECTION.

b. Insofar as consistent with the paragraph CONTINUITY OF WORK of Section 00800 SPECIAL CONTRACT REQUIREMENTS, monthly partial payments will be based on approximate quantities determined by soundings or sweepings performed by the Contractor behind the dredge. The term "area designated by the Contracting Officer" as used in the CONTINUITY OF WORK paragraph, is defined as "acceptance section".

c. Soundings for payment purposes shall be made by the Government at the frequency listed in the Channel Survey Notes on the contract drawings.

1.2.1.2 Measurement

a. The maps and/or drawings already prepared (paragraph CONTRACT DRAWINGS, MAPS, AND SPECIFICATIONS of Section 00700 CONTRACT CLAUSES) are believed to represent accurately average existing conditions, but the depths shown thereon may be verified and corrected by soundings taken before dredging. Determination of quantities removed and the deductions made therefrom to determine quantities by place measurement to be paid for in the area specified, after having once been made, will not be reopened, except on evidence of collusion, fraud, or obvious error.

b. The total amount of material removed, and to be paid for under the contract, will be measured by the cubic yard in place and quantities determined by the average end area method. The volume computed shall be between the bottom surface shown by soundings taken within 3 weeks before dredging and the bottom surface shown by the soundings taken within 3 weeks after the work specified in each acceptance section indicated on the drawings has been completed. The Contractor shall give 3 weeks advance notice, in writing, to the Contracting Officer's Representative of the need for a pre-dredging survey or after-dredging survey for final acceptance for each acceptance section. The quantity shall include the volume within the limits of the side slopes described in subparagraph "Side Slopes" of paragraph REQUIRED DEPTH, ALLOWABLE OVERDEPTH, AND SIDE SLOPES of Section 02325 DREDGING, less any deductions that may be required for misplaced material described in subparagraph "Misplaced Materials" of paragraph DISPOSAL OF EXCAVATED MATERIAL of Section 02325 DREDGING.

1.2.1.3 Unit of Measure

Cubic yard.

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION (NOT APPLICABLE)

-- End of Section --

SECTION TABLE OF CONTENTS

DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01310

ADMINISTRATIVE PROCEDURES

PART 1 GENERAL

- 1.1 SUMMARY
- 1.2 REFERENCES
- 1.3 SUBMITTALS
- 1.4 PROJECT COORDINATION
  - 1.4.1 Resident Management System (RMS)
- 1.5 PROJECT MEETINGS
- 1.6 PRECONSTRUCTION CONFERENCE
  - 1.6.1 Preconstruction Conference Minutes
  - 1.6.2 Preconstruction Conference Submittals
    - 1.6.2.1 Other Division 01 Submittals
    - 1.6.2.2 Divisions 02 through 16 Submittals
- 1.7 COORDINATION MEETING
- 1.8 PROGRESS MEETINGS
  - 1.8.1 Progress Meeting Participants
- 1.9 ALTERNATE DISPUTE RESOLUTION (ADR)

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION

- 3.1 GENERAL MEETING REQUIREMENTS
- 3.2 PROGRESS MEETING AGENDA
- 3.3 SAMPLE - EMPLOYER INFORMATION REPORT EEO-1 (STANDARD FORM 100)
- 3.4 SAMPLE - GUIDE FOR EMPLOYEE SAFETY AND OCCUPATIONAL HEALTH  
INDOCTRINATION (ESHI)

-- End of Section Table of Contents --

SECTION 01310

ADMINISTRATIVE PROCEDURES

PART 1 GENERAL

1.1 SUMMARY

Manage project and coordinate activities of own employees, subcontractors, suppliers and offsite fabricators. Contractor will be required to use computers, E-mail, and internet resources for work described in this Section. Notify Contracting Officer of important meetings, schedule events and critical construction activities. Furnish experienced and trained persons, sufficient labor and materials and equipment required for planning and execution of project management functions and coordination activities. Coordinate construction activities and manage project resources to construct the project conforming to contract requirements, on time and within budget. Related Sections are 01321 CONSTRUCTION PROGRESS DOCUMENTATION; 01451 CONTRACTOR QUALITY CONTROL; and 02325 DREDGING.

1.2 REFERENCES

The publications listed below form a part of this specification to the extent referenced. The publications are referred to in the text by basic designation only.

ENGINEERING MANUALS (EM)

EM 385-1-1 (1996) Safety and Health Requirements Manual

Corps of Engineers publications internet location is:  
<http://www.usace.army.mil/inet/usace-docs/>

1.3 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals having an "FIO" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. Submittals shall be submitted in accordance with Section 01330 SUBMITTAL PROCEDURES. Bring following administrative submittal items to Preconstruction Conference:

SD-01 Preconstruction Submittals

Standard Form 100; FIO.

Equal Employment Opportunity Commission - Employer Information Report EEO-1, OMB - Standard Form 100. Submit for Contractor and applicable subcontractors. See Clause EQUAL OPPORTUNITY of Section 00700 CONTRACT CLAUSES. A sample copy of SF 100 is appended to the end of this Section.

Affirmative Action Plan; FIO.

Documentation of compliance with Clause AFFIRMATIVE ACTION COMPLIANCE REQUIREMENTS FOR CONSTRUCTION of Section 00700 CONTRACT CLAUSES. (See subparagraph (g) items 1 through 16 for Affirmative Action Plan format.)

List of Subcontractors; FIO.

Submit a list of proposed subcontractors. Include company name, person to contact, street address, mail address, phone number, type of specialty and estimated subcontract quote. See Clauses SUBCONTRACTS (LABOR STANDARDS) of Section 00700 CONTRACT CLAUSES.

Signature Authority; FIO.

A power of attorney or a notarized letter of authority from Contractor identifying local representatives authorized to sign contract documents.

Drug-Free Work Place Record; FIO.

A record to demonstrate compliance with Clause DRUG-FREE WORKPLACE of Section 00700 CONTRACT CLAUSES (see subparagraphs (b)(1) through (b)(7)).

Accident Prevention Plan; G|COR.

Within 20 calendar days after the date of Notice of Award, the Contractor shall submit Accident Prevention Plan with additional plans required by EM 385-1-1. Additional plans may include, but are not limited to, Activity Hazards Analysis; Hazard Communication Program (refer to Clause HAZARD COMMUNICATION of Section 00800 SPECIAL CONTRACT REQUIREMENTS); Confined Space Entry Plan (refer to Clause CONFINED SPACE ENTRY of Section 00800 SPECIAL CONTRACT REQUIREMENTS); and, Employee Safety and Health Indoctrination (ESHI) (sample ESHI appended to the end of this Section).

Diving Plan (including Activity Hazards Analysis); G|COR.

Diving Plan is required on all projects with work on or over water and comply with EM 385-1-1. Refer to Clause DIVING PLAN of Section 00800 SPECIAL CONTRACT REQUIREMENTS.

#### 1.4 PROJECT COORDINATION

##### 1.4.1 Resident Management System (RMS)

Contractor shall use Contracting Officer furnished Resident Management System (RMS) software for construction information management (CIM). RMS will be latest version of "RMS-QC" which is personal computer based. See Section 01312 RESIDENT MANAGEMENT SYSTEM (RMS).

#### 1.5 PROJECT MEETINGS

Contracting Officer requires following types of project meetings:

- Preconstruction Conference
- Partnering Meeting
- Partnering Regroup Meetings
- Coordination Meeting
- Preparatory and Initial Phase meeting for each feature of work
- Project Progress Meetings
- Alternate Dispute Resolution

Project meetings are described in detail in subparts below.

#### 1.6 PRECONSTRUCTION CONFERENCE

Contracting Officer will conduct a Preconstruction Conference for this project in accordance with Clause PRECONSTRUCTION CONFERENCE of Section 00700 CONTRACT CLAUSES. Preconstruction Conference will be after Notice of Award (NOA) but prior to Notice to Proceed (NTP). Contracting Officer will notify Contractor of time, place, and agenda. Contractor shall notify key subcontractors and suppliers to attend. Contracting Officer will discuss contract "ground rules" and general issues including:

- Lines of Contracting Officer authority
- Lines of Contractor authority
- 00700 Contract Clauses
- 00800 Special Contract Requirements
- Contract Administration
- Progress Payment
- Correspondence Procedures
- Project Schedule
- Submittal Register
- Labor requirements
- General Site Safety

##### 1.6.1 Preconstruction Conference Minutes

Contracting Officer will take detailed minutes of Preconstruction Conference discussions and may use an audio or video tape. Copies of typed minutes will be provided to the Contractor to review for accuracy, sign and return. Signed minutes become part of the contract file. Audio or video tapes if used will be made available for Contractor to review or copy at Area Office.

##### 1.6.2 Preconstruction Conference Submittals

Submittals required by this Section are described in paragraph SUBMITTALS above.

###### 1.6.2.1 Other Division 01 Submittals

Bring listed Division 01 submittals in draft form to Preconstruction Conference:

- Construction Schedule - See Section 01321 CONSTRUCTION  
PROGRESS DOCUMENTATION
- Submittal Register - See Section 01330 SUBMITTAL PROCEDURES
- Environmental Protection Plan - See Section 01355  
ENVIRONMENTAL PROTECTION
- Quality Control Plan - See Section 01451 CONTRACTOR QUALITY  
CONTROL

Contracting Officer reviews submitted draft plans to prepare Coordination Meeting agenda and understand Contractor procedures.

###### 1.6.2.2 Divisions 02 through 16 Submittals

Bring submittal items for materials, workmanship, plans or events required early in project schedule which are ready for transmittal to Contracting Officer. Prepare transmittal of submittal items in accordance with Section

01330 SUBMITTAL PROCEDURES.

~~1.7 PARTNERING~~

~~Contracting Officer wants to have a bilateral project partnership with Contractor that draws on strengths of both organizations to identify and achieve common goals. Typical partnering goals include:~~

- ~~— Effective and efficient contract performance~~
- ~~— Project completion on time and within budget~~
- ~~— Construction completed according to plans and specifications~~
- ~~— Development of cooperative management teams~~
- ~~— Project success with customer (stakeholders) satisfaction~~
- ~~— Improved Project communication~~

~~1.7.1 Initial Partnering Meeting~~

~~Contractor, key subcontractors and suppliers shall attend a one-day project "Partnering Meeting". The Partnering Meeting is a project team building workshop facilitated by trained persons. Contracting Officer attendees and invited persons may include:~~

~~Administrative Contracting Officer Representative (Area Engineer)  
Construction Quality Assurance Representatives  
Jacksonville District — Construction Branch persons  
Jacksonville District — Design Branch Designers~~

~~Goal of initial Partnering Meeting is to build trust, identify common goals, and understand individual project members expectations and organizational values. Usual results include better communication between contract parties, shortened project learning curve and a cohesive two party contract partnership. Participants usually sign a voluntary partnering agreement generally describing mutual obligation to cooperate to achieve project goals and maintain effective communication. Contracting Officer will pay costs for workshop site rental and facilitator fees.~~

~~1.7.2 Partnering Regroups~~

~~After initial Partnering Meeting participation will be voluntary in accordance with a signed Partnering Agreement. After initial Partnering Workshop, costs will be agreed to by both partners and split shared equally, without changing contract price. Partnering Agreements include provisions for Contracting Officer and Contractor to request "Partnering Regroups" when needed. A "Partnering Regroup" is usually a short (4 hours — 1 day) informal partnering session where senior level Contractor and Contracting Officer project members and other interested parties review project issues of concern. Issues of conflict are reviewed, attempt to affirm common project goals and understand concerns of other partner.~~

1.7 COORDINATION MEETING

Coordination Meeting is scheduled, convened and conducted by Contracting Officer after a Preconstruction Conference and prior to starting physical construction. Draft plans submitted after NOA (i.e., Quality Control Plan, Environmental Protection Plan and Accident Prevention Program) will have been reviewed. Coordination Meeting is primarily for on-site Contractor Quality Control staff, including subcontractor and supplier employees performing quality control, to meet and discuss the project in detail with Contracting Officer's Quality Assurance Representatives. Purposes of

Coordination Meeting are:

- Achieve mutual understanding with Contractor of required Quality Control
- Jointly review submitted draft plans; resolve issues of concern
- Discuss project plans and specifications, schedule, documentation
- Establish a good working relationship between the Contractors Quality Control Staff and Quality Assurance Representatives

#### 1.8 PROGRESS MEETINGS

Schedule, convene and preside over progress meetings as required. As project activities increase ("ramp up"), a minimum of one progress meeting per week is typical of a project of this scope. Convene additional meetings as required, or when requested by Contracting Officer. Notify persons needed to be present to discuss agenda issues. Contracting Officer may direct attendance by key Contractor suppliers, or fabricators as needed. A sample meeting agenda is provided in paragraph GENERAL MEETING REQUIREMENTS below.

##### 1.8.1 Progress Meeting Participants

Typical participants include:

- Contracting Officer or Contracting Officer's Representative
- Contractor's Site Superintendent
- Contractor's Quality Control Manager
- Contractor's Safety Coordinator
- Subcontractors, as appropriate to the agenda
- Suppliers, as appropriate to the agenda
- Others as appropriate to the agenda

#### 1.9 ALTERNATE DISPUTE RESOLUTION (ADR)

Contracting Officer wants disputes resolved in a timely, professional, and non-adversarial manner. ADR is a voluntary, non-binding procedure available for use in this contract. ADR combines business administration methods of issue clarification and problem solving techniques. ADR is used in place of formal dispute resolution procedures to promote and maintain amicable working relationships.

#### PART 2 PRODUCTS (NOT APPLICABLE)

#### PART 3 EXECUTION

##### 3.1 GENERAL MEETING REQUIREMENTS

See Section 01451 CONTRACTOR QUALITY CONTROL for Preparatory and Initial Phase meeting checklists. Contractor is responsible for phase and progress meetings to include:

- Meeting notification to participants
- Prepare agenda for meetings
- Use phase checklists for Preparatory and Initial Phase meetings
- Physical arrangements for meetings
- Preside at meetings
- Record minutes recording proceedings and decisions
- Copy and send minutes to:

Meeting participants  
Project parties affected by decisions  
Contracting Officer (No later than 3 working days)

### 3.2 PROGRESS MEETING AGENDA

Modify agenda as needed for on-going work.

- Review minutes from previous progress meetings
- Review work progress since previous meeting
- Review current definable features of work:
  - Identify phases of current features of work
  - Identify pending phase changes
  - Identify features for discussion in next scheduled meeting
- Discuss problem prevention:
  - Field observations
  - Deficiencies and tracking
  - Procedures working well
  - Problems, conflicts
  - Methods to improve
- Review construction schedule:
  - Identify delays
  - Discuss proposed corrective actions to regain schedule
- Submittals and RFIs:
  - Review submittal register
  - Identify submittals to expedite as required
- Review off-site activities:
  - Fabrications
  - Material and equipment delivery schedule
- Review Testing:
  - Type, Schedule
  - Received Results
- Review changes to construction schedule:
  - Planned progress during succeeding work period
  - Coordination of various schedules
  - Effect of changes on construction and completion date
- Review site safety
- Discuss maintaining contract quality for materials and workmanship
- Discuss pending modifications, changes and substitutions
- Discuss other business, as appropriate

### 3.3 SAMPLE - EMPLOYER INFORMATION REPORT EEO-1 (STANDARD FORM 100)

See APPENDIX 01310-A at the end of this Section (2 pages).

### 3.4 SAMPLE - GUIDE FOR EMPLOYEE SAFETY AND OCCUPATIONAL HEALTH INDOCTRINATION (ESHI)

See APPENDIX 01310-B at the end of this Section (2 pages).

-- End of Section --

SECTION TABLE OF CONTENTS

DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01330

SUBMITTAL PROCEDURES

PART 1 GENERAL

- 1.1 SUMMARY
  - 1.1.1 Terminology
  - 1.1.2 Government-Furnished Information
    - 1.1.2.1 Government-Furnished Software and Forms
- 1.2 SUBMITTALS
- 1.3 DEFINITIONS
  - 1.3.1 Submittal
  - 1.3.2 Types of Submittals
  - 1.3.3 Approving Authority
  - 1.3.4 Work
  - 1.3.5 Streamlined "G" Submittals
  - 1.3.6 Request for Information (RFI) Submittals
- 1.4 SUBMITTAL IDENTIFICATION
- 1.5 SUBMITTAL CLASSIFICATION
  - 1.5.1 Government Approved "G"
  - 1.5.2 Information Only
- 1.6 APPROVED SUBMITTALS
- 1.7 DISAPPROVED SUBMITTALS
- 1.8 WITHHOLDING OF PAYMENT

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION

- 3.1 GENERAL
- 3.2 SUBMITTAL REGISTER
  - 3.2.1 Instructions for Completing Submittal Register (SUBMITTAL FORM, JAN 96)
  - 3.2.2 Personal Computer or Manual Submittal Registers
- 3.3 SCHEDULING
  - 3.3.1 Avoiding Delay
- 3.4 TRANSMITTAL FORM (ENG FORM 4025)
  - 3.4.1 ENG Form 4025 Reviewer Action Codes
  - 3.4.2 ENG Form 4025 Transmittal Instructions
- 3.5 SUBMITTAL PROCEDURES
  - 3.5.1 Procedures
  - 3.5.2 Variations
- 3.6 CONTROL OF SUBMITTALS
- 3.7 GOVERNMENT APPROVED SUBMITTALS
- 3.8 INFORMATION ONLY SUBMITTALS
- 3.9 CONTRACTOR REVIEW STAMP
- 3.10 SUBMITTAL REGISTER
- 3.11 TRANSMITTAL OF SHOP DRAWINGS, ENG FORM 4025

-- End of Section Table of Contents --

SECTION 01330

SUBMITTAL PROCEDURES

PART 1 GENERAL

1.1 SUMMARY

1.1.1 Terminology

Submittals are items for Contractor quality control review and Contracting Officer quality documentation (For Information Only -- "FIO") or quality assurance review and approval (Government -- "G"). Contract contains a submittal register (SUBMITTAL FORM, Jan 96) to be used by Contractor to identify, schedule and track submittal items. Submittal Register is a scheduling device that is dynamic and constantly updated. A transmittal is a contract correspondence action using contract transmittal form (ENG Form 4025) that sends submittal items to Contracting Officer and back to Contractor. A copy of ENG Form 4025 is appended to the end of this Section. ENG Form 4025 is used by both Contractor and Contracting Officer to record submittal item routing and record submittal review and action coding. Submittal Register and ENG Form 4025 work together for submittal information.

1.1.2 Government-Furnished Information

Appended to the end of this Section is a Submittal Register listing items of products, equipment, materials and procedures for submittals as required by contract. Contractor will also be furnished an electronic data file after Notice of Award with the following columns completed:

Column (c) -- "SPEC. SECT.": Lists specification section numbers in which submittal is required.

Column (d) -- "DESCRIPTION - ITEM SUBMITTED": Lists each submittal description (SD No. and type; e.g., SD-04 Drawings) required in each specification section.

Column (e) -- "PARAGRAPH #": Lists one principal paragraph in specification section where a material or product is specified. This listing is only to facilitate locating submitted requirements. Do not consider entries in Column (e) as limiting project submittal requirements.

Column (f) -- "CLASSIFICATION GOVT OR A/E REVWR": Indicates reviewer for each submittal. Approving authority for all submittals remains the Contracting Officer. A "G" indicates approval by Contracting Officer and may include a review by Design A/E contracted to the Contracting Officer. A designation following the "G" identifies the office that will review the submittal for the Contracting Officer. Submittal designation codes identifying the office that will review the submittal for the Contracting Officer are identified as follows:

COR -- Construction-Operations Area/Resident/Project Engineer  
(Contracting Officer's Representative)

ED -- Engineering Division  
A/E -- Architect Engineer Contractor providing engineering during  
construction  
PD -- Planning Division  
SO -- Safety Office

#### 1.1.2.1 Government-Furnished Software and Forms

Contractor shall use Resident Management System - Quality Control module (RMS-QC) to run the submittal register. Refer to Section 01312 RESIDENT MANAGEMENT SYSTEM (RMS). Contractor will be given a password to download RMS-QC from the following website: <http://winrms.usace.army.mil>. ENG Form 4025 and other useful forms are located at Jacksonville District Construction Branch website:  
[http://www.saj.usace.army.mil/conops/construction/construction\\_forms](http://www.saj.usace.army.mil/conops/construction/construction_forms).

#### 1.2 SUBMITTALS

Submit the following in accordance with the requirements of this Section:

##### SD-01 Preconstruction Submittals

Submittal Register; G|COR.

Within 10 calendar days after the Preconstruction Conference, submit a proposed submittal register and RMS computer data file with data filled in for the following: Column (a) -- "ACTIVITY NO."; Column (h) -- "APPROVAL NEEDED BY"; and, Column (i) -- "MATERIAL NEEDED BY".

#### 1.3 DEFINITIONS

##### 1.3.1 Submittal

Shop drawings, product data, samples, and administrative submittals presented for review and approval. The following Clauses MATERIAL AND WORKMANSHIP, paragraph (b) and SPECIFICATIONS AND DRAWINGS FOR CONSTRUCTION, paragraphs (d), (e), and (f) of Section 00700 CONTRACT CLAUSES apply to all "submittals".

##### 1.3.2 Types of Submittals

All submittals are classified with a SD number and Title as indicated in paragraph SUBMITTAL IDENTIFICATION (SD) below. Submittals also are grouped as follows:

a. Shop drawings: As used in this Section, drawings, schedules, diagrams, and other data prepared specifically for this contract, by Contractor or through Contractor by way of subcontractor, manufacturer, supplier, distributor, or other lower tier Contractor, to illustrate portion of work.

b. Product data: Preprinted material such as illustrations, standard schedules, performance charts, instructions, brochures, diagrams, manufacturer's descriptive literature, catalog data, and other data to illustrate portion of work but not prepared exclusively for this contract.

c. Samples: Physical examples of products, materials, equipment, assemblies, or workmanship that are physically identical to portion of

work, illustrating portion of work or establishing standards for evaluating appearance of finished work or both.

d. Administrative submittals: Data presented for reviews and approval to ensure that administrative requirements of project are adequately met and in compliance with contract.

### 1.3.3 Approving Authority

Contractor Quality Control (CQC) System Manager shall be approving authority or "FIO" submittals. Contracting Officer's Representative, usually Area/Resident/Project Engineer, is Contracting Officer's approving authority. Jacksonville District employees, contracted Architect-Engineers, or employees from other USACE Districts who may review "G" submittal items and provide action codes act in capacity of technical advisors to Contracting Officer's Representative.

### 1.3.4 Work

As used in this Section, on- and off-site construction required by contract documents, including labor necessary to produce construction and materials, products, equipment, and systems incorporated or to be incorporated in such construction.

### 1.3.5 Streamlined "G" Submittals

A Jacksonville District submittal procedure where the Government review approval process is streamlined for high priority "G" submittals to prevent delay. Concurrent with processing and handling of paper copies of submittals, a lesser number of copies of the submittal item may be overnight mailed, faxed, or scanned and sent via E-mail. Reviewer comments and recommended submittal review codes are E-mailed from reviewers to Contracting Officer.

### 1.3.6 Request for Information (RFI) Submittals

RFIs are Contractor inquiries for clarification of contract documents and are not considered submittals. Contractor proposed methods to control RFIs shall be described as part of Contractor's Quality Control Plan. Refer to Section 01451 CONTRACTOR QUALITY CONTROL.

## 1.4 SUBMITTAL IDENTIFICATION

Submittals required are identified by SD numbers and titles as follows:

### SD-01 Preconstruction Submittals

Administrative submittals, after Notice of Award and prior to Preconstruction Conference -- Refer to Sections 01310 ADMINISTRATIVE PROCEDURES; 01321 CONSTRUCTION PROGRESS DOCUMENTATION; 01355 ENVIRONMENTAL PROTECTION; and {01500 TEMPORARY CONSTRUCTION FACILITIES}.

Administrative submittals during construction; i.e., public notices, detailed work plans, etc.

### SD-02 Shop Drawings

Drawings, diagrams and schedules specifically prepared to illustrate some portion of the work.

Diagrams and instructions from a manufacturer or fabricator for use in producing the product and as aids to the Contractor for integrating the product or system into the project.

Drawings prepared by or for the Contractor to show how multiple systems and interdisciplinary work will be coordinated.

#### SD-03 Product Data

Catalog cuts, illustrations, schedules, diagrams, performance charts, instructions and brochures illustrating size, physical appearance and other characteristics of materials or equipment for some portion of the work.

Samples of warranty language when the contract requires extended product warranties.

#### SD-04 Samples

Physical examples of materials, equipment or workmanship that illustrate functional and aesthetic characteristics of a material or product and establish standards by which the work can be judged.

Color samples from the manufacturer's standard line (or custom color samples if specified) to be used in selecting or approving colors for the project.

Field samples and mock-ups constructed on the project site establish standards by which the ensuring work can be judged. Includes assemblies or portions of assemblies which are to be incorporated into the project and those which will be removed at conclusion of the work.

#### SD-05 Design Data

Calculations, mix designs, analyses or other data pertaining to a part of work.

#### SD-06 Test Reports

Report signed by authorized official of testing laboratory that a material, product or system identical to the material, product or system to be provided has been tested in accordance with specified requirements. (Testing must have been within three years of date of contract award for the project.)

Report which includes findings of a test required to be performed by the Contractor on an actual portion of the work or prototype prepared for the project before shipment to job site.

Report which includes finding of a test made at the job site or on sample taken from the job site, on portion of work during or after installation.

Investigation reports.

Daily checklists.

Final acceptance test and operational test procedure.

#### SD-07 Certificates

Statements signed by responsible officials of manufacturer of product, system or material attesting that product, system or material meets specification requirements. Must be dated after award of project contract and clearly name the project.

Document required of Contractor, or of a supplier, installer or subcontractor through Contractor, the purpose of which is to further quality of orderly progression of a portion of the work by documenting procedures, acceptability of methods or personnel qualifications.

Confined space entry permits.

Data, records, reports from Contractor documenting the construction, production, or regulatory compliance.

#### SD-08 Manufacturer's Instructions

Preprinted material describing installation of a product, system or material, including special notices and Material Safety Data Sheets concerning impedances, hazards and safety precautions.

#### SD-09 Manufacturer's Field Reports

Documentation of the testing and verification actions taken by manufacturer's representative to confirm compliance with manufacturer's standards or instructions.

Factory test reports.

#### SD-10 Operation and Maintenance Data

Data intended to be incorporated in operations and maintenance manuals.

#### SD-11 Closeout Submittals

Documentation to record compliance with technical or administrative requirements or to establish an administrative mechanism.

As-built drawings.

Special warranties.

Posted operating instructions.

Training plan.

### 1.5 SUBMITTAL CLASSIFICATION

Submittals are classified as follows:

#### 1.5.1 Government Approved "G"

Governmental approval is required for extensions of design, critical materials, deviations, equipment whose compatibility with the entire system must be checked, and other items as designated by the Contracting Officer. Within the terms of the Clause SPECIFICATIONS AND DRAWINGS FOR CONSTRUCTION of Section 00700 CONTRACT CLAUSES, they are considered to be "shop drawings." Government approval submittal items are designated with a "G".

### 1.5.2 Information Only

All submittals not requiring Government approval will be for "FIO". They are not considered to be "shop drawings" within the terms of the Contract Clause referred to above. "FIO" submittals are used as documentation of contract compliance. "FIO" submittals transmitted to Contracting Officer will be "spot checked" for contract compliance and coded "F -- Receipt acknowledged" or "FX -- Receipt acknowledged, does not comply as noted with contract requirements" (see instructions on the back of ENG Form 4025). Retransmit submittal items coded "FX" for Government approval "G" submittal item. Order products or materials from fabricators or suppliers after an information only submittal has received an "F" code.

### 1.6 APPROVED SUBMITTALS

Contracting Officer's approval of submittals shall not be construed as a complete check, but will indicate only that the general method of construction, materials, detailing and other information are satisfactory. Approval will not relieve the Contractor of the responsibility for any error which may exist, as the Contractor under the Contractor Quality Control (CQC) requirements of this contract is responsible for dimensions, the design of adequate connections and details, and the satisfactory construction of all work. After submittals have been approved by the Contracting Officer, no resubmittal for the purpose of substituting materials or equipment will be considered unless accompanied by an explanation of why a substitution is necessary.

### 1.7 DISAPPROVED SUBMITTALS

The Contractor shall make all corrections required by the Contracting Officer and promptly furnish a corrected submittal in the form and number of copies specified for the initial submittal. If the Contractor considers any correction indicated on the submittals to constitute a change to the contract, a notice in accordance with the Clause CHANGES of Section 00700 CONTRACT CLAUSES shall be given promptly to the Contracting Officer.

### 1.8 WITHHOLDING OF PAYMENT

Payment for materials incorporated in the work will not be made if required approvals have not been obtained.

## PART 2 PRODUCTS (NOT APPLICABLE)

## PART 3 EXECUTION

### 3.1 GENERAL

Contractor shall furnish submittals required by contract and transmit them to the Contracting Officer using ENG Form 4025 as contract transmittal form. Transmit all submittals to:

South Florida Area Office  
U.S. Army Corps of Engineers (CESAJ-CO-W)  
4400 PGA Blvd., Suite 203  
Palm Beach Gardens, Florida 33410  
(PHONE: 561-626-5299)

Contracting Officer may request additional submittal items when necessary

to describe work covered in respective contract sections. Units of weights and measures used on submittal items shall be the same as those used in the contract drawings. Each submittal item shall be identified with contract number, stamped, signed, and dated by the CQC System Manager (see paragraph CONTRACTOR REVIEW STAMP below). Each submittal shall be complete and in sufficient detail to allow reviewer determination of contract compliance. Prior to transmitting submittal items to Contracting Officer, Contractor's Quality Control (CQC) System Manager shall review, provide appropriate code and certify listed submittal items meet contract or are a requested variation. Submittal items requiring Government approval "G" shall be scheduled and approved (Contracting Officer's action code of "A" or "B") prior to acquisition of material or equipment covered thereby. Samples remaining upon completion of work shall be picked up and disposed of in accordance with manufacturer's Material Safety Data Sheets (MSDS) and in compliance with existing laws and regulations.

### 3.2 SUBMITTAL REGISTER

At the end of this section is a Submittal Register listing items of equipment and materials for which submittals are required by the contract. Contractor will also be given an electronic data file as specified in subparagraph "Government-Furnished Information" above. Upon receiving contract, including submittal register and data file, Contractor shall complete columns (a), (g), (h), and (i) and submit for Government approval.

This list may not be all inclusive and submittal items found during Contractor's preconstruction review shall be added. Contractor shall maintain project submittal register up-to-date. Submit an updated copy to the Contracting Officer with each pay request. Maintain project submittal register using Resident Management System in accordance with Section 01312 RESIDENT MANAGEMENT SYSTEM (RMS).

#### 3.2.1 Instructions for Completing Submittal Register (SUBMITTAL FORM, JAN 96)

Contractor to complete Columns (a), (b), and (g) through (r):

Column (a) -- "ACTIVITY NO.": Assign an event number and show on Critical Path Method (CPM) schedule; or identify "submittal item" with a control number for use in ENG Form 4025 column (a). Using a numbering system allowing for additions (e.g., 050,010, 015) is useful.

Column (b) -- "TRANSMITTAL NO.": Transmittal number should match ENG Form 4025 transmittal number used to transmit submittal item to Contracting Officer.

Column (g) -- "SUBMIT": Contractor scheduled date for transmitting submittal item to Contracting Officer.

Column (h) -- "APPROVAL NEEDED BY": Planned date for needed Contracting Officer review actions to prevent delay.

(For "G" submittal items, "A" or "B" action codes are required. For "FIO" submittal items, "F" code is required. Initially schedule Column (h) dates allowing float for disapproved submittal items and retransmittal for review (approximately 45-60 days).

Column (i) -- "MATERIAL NEEDED BY": Date material is needed for use at the project site.

Column (j) -- "ACTION CODE": Contractor's Quality Control reviewer code from list of action codes. See subparagraph "ENG Form 4025 Reviewer Action Codes" below.

Column (k) -- "DATE OF ACTION": Date of QC review and signing certification on ENG Form 4025.

Column (l) -- "DATE FWD TO APPR AUTH/DATE RCD FROM CONTR": Date submittal item transmitted to Contracting Officer.

Columns (m) -- "DATE FWD TO OTHER REVIEWER";

(n) -- "DATE RCD FROM OTHER REVIEWER";

(o) -- "ACTION CODE";

(p) -- "DATE OF ACTION"; and,

(q) -- "MAILED TO CONTR/DATE RCD FROM APPR AUTH": Record dates and action codes as shown on ENG Form 4025 received back from Contracting Officer.

Column (r) -- "REMARKS": Used by Contractor or Contracting Officer as needed. Ensure submittal items transmitted as variations are identified in column (r).

### 3.2.2 Personal Computer or Manual Submittal Registers

Prepare submittal register and maintain it current as work progresses. Contractor may find using color codes (i.e., "green" - accepted; "yellow" - pending; "red" - rejected) for tracking submittal status useful. Contractor has option to use a personal computer based submittal register or a manual submittal register. At Jacksonville District internet site, [http://www.saj.usace.army.mil/conops/construction/construction\\_forms.htm](http://www.saj.usace.army.mil/conops/construction/construction_forms.htm) there is a computer file (Microsoft Excel(TM)), available for Contractor download and use. Contractor may furnish his own commercial software having a Submittal Register. If Contractor selects a commercial software, furnish a licensed copy for use by Contracting Officer. In place of a computer file Submittal Register, Contractor has an option to use a manual Submittal Register. When manual Submittal Register is used, all entries shall be in pencil.

### 3.3 SCHEDULING

Submittals covering component items forming a system or items that are interrelated shall be scheduled to be coordinated and submitted concurrently. Certifications to be submitted with the pertinent drawings shall be so scheduled. Adequate time (a minimum of 30 calendar days exclusive of mailing time) shall be allowed and shown on the register for Government "G" review and approval. No delay damages or time extensions will be allowed for time lost in late submittals. An additional 10 calendar days shall be allowed and shown on the register for review and approval of "G" submittals requiring extra review time as noted (e.g., A/E or review from other Corps District).

#### 3.3.1 Avoiding Delay

Contracting Officer wants to avoid project delays due to late transmittal of a "G" submittal item or untimely Contracting Officer review. When Contractor identifies possible construction delays due to a submittal, notify the Contracting Officer immediately.

### 3.4 TRANSMITTAL FORM (ENG FORM 4025)

The sample transmittal form (ENG Form 4025) attached to this Section shall be used for submitting both Government approved "G" and "FIO" submittal items. A ENG Form 4025 computer file in versions of Microsoft Word(tm) .doc file and Adobe Acrobat(tm) .pdf file are available for Contractor downloading and contract use at:

[http://www.saj.usace.army.mil/conops/construction/construction\\_forms.htm](http://www.saj.usace.army.mil/conops/construction/construction_forms.htm).

[If Submittal Register is to be done manually, ENG Form 4025 will be furnished to Contractor upon request.] [ENG Form 4025 is included in the RMS-QC software that the Contractor is required to use for this contract.]

#### 3.4.1 ENG Form 4025 Reviewer Action Codes

Contractor shall use action codes to document submittal item review of shop drawings, materials and product received from subcontractors, suppliers and fabricators. Contracting Officer will use same codes for his review. Action codes for contract use are:

- A -- Approved as submitted.
- B -- Approved, except as noted on drawings. (Make minor corrections; resubmission not required.)
- C -- Approved, except as noted on drawings. (Refer to review comments for required corrections; resubmission is required.)
- D -- Will be returned by separate correspondence with detailed comments. Resubmittal is required.
- E -- Disapproved; resubmittal required.
- F -- Receipt acknowledged (for Government use for "FIO" items).
- FX -- Receipt acknowledged, does not comply with contract; resubmittal required as "G" submittal item.
- G -- Other (Reviewer shall specify the action in detail).

Contractor shall enter appropriate action code in ENG Form 4025 Column (g) -- "FOR CONTRACTOR USE CODE" and Submittal Register Column (j) -- "CONTRACTOR ACTION - ACTION CODE".

Contracting Officer will enter "G" submittal item reviewer action code in ENG Form 4025 Column (i) -- "FOR CE USE CODE".

Contractor will enter review codes received from Contracting Officer in Submittal Register Column (o) -- "APPROVING AUTHORITY - ACTION CODE".

Approval action codes of "F", "A", and "B" given to submittal items by Contracting Officer does not relieve Contractor from complying with contract requirements. Contracting Officer reserves right to rescind inadvertent submittal item approvals that do not comply with contract.

#### 3.4.2 ENG Form 4025 Transmittal Instructions

Attach a copy of ENG Form 4025 to each copy of a set of submittal items transmitted to Contracting Officer. Instructions located on the reverse side of ENG Form 4025, May 91 are obsolete. Revised instructions for Jacksonville District use are listed below. This revision describes ENG Form 4025 use with Submittal Register "SUBMITTAL FORM, Jan 96" used by other Government agencies.

REVISED ENG FORM 4025 INSTRUCTIONS:

1. Block -- "DATE": Enter the date transmitted to the Contracting

Officer. Corresponds with Submittal Register Column (1) -- "DATE FWD TO APPR AUTH". For "G" submittals this date, plus actual mailing time, starts Contracting Officer review period.

2. Block -- "TRANSMITTAL NO.": A transmittal is an action that combines required submittal items from one Section (e.g., Section 02300 EARTHWORK) and transmits them from Contractor to Contracting Officer. ENG Form 4025 Transmittal Numbers shall be numbered consecutively and should be tracked as separate contract correspondence. Enter each ENG Form 4025 Transmittal Number in the Submittal Register Column (b -- "TRANSMITTAL NO.").

3. Blocks -- "TO", "FROM", and "CONTRACT NUMBER": Self-explanatory.

4. Block -- "CHECK ONE":

THIS IS A NEW TRANSMITTAL -- Self-explanatory.  
THIS IS A RESUBMITTAL OF TRANSMITTAL \_\_\_\_\_.

When a submittal item has been coded "C", "D", "E", "FX", "G" insert the original Transmittal No. (This helps reviewers locate submittal items from contract files for comparison to original submittal.)

5. Block -- "SPECIFICATION SEC. NO.": Enter the five digit Section number from Submittal Register Column (c) -- "SPEC SECT." where submittal items are required. Contractor shall organize transmittals so that all items sent under one transmittal number are from the same Section. When Contractor adds a submittal item called for in a drawing note, assign the specification Section number that most closely covers the work.

6. Column (a.) -- "ITEM NO.": Contractor has options to identify submittal item.

Contracting Officer has seen various successful systems to control submittal items. Contracting Officer recommends to assign a unique number to each submittal item that does not change. Assigning a unique number for each submittal item helps when computer interrelational databases or spreadsheets are used. Consider using a numbering system (e.g., 005, 010, 015, 020) that leaves spaces for additional submittal items.

7. Column (b.) -- "DESCRIPTION OF ITEM SUBMITTED (Type size, model number/etc.)": Enter a complete description of each submittal item being transmitted to the Contracting Officer.

Submittal Register and ENG Form 4025 are used together to identify, schedule and track all required items to be submitted for Contractor or Contracting Officer review. For some specification sections having many sub-component items for submittal, the entry in Submittal Register Column (d) -- "DESCRIPTION ITEM SUBMITTED" provided to Contractor has a general class of products. For example, Section 15110 VALVES, may have SD-03 Product Data - "Valves" listed for a submittal item. In example case, Contractor shall list and track each valve that requires a separate review and action code as a separate submittal item. This may require additional entries in both Submittal Register and assigning additional item numbers.

8. Column (c.) -- "MFG. OR CONTR. CAT., CURVE DRAWING OR BROCHURE NO.": This entry requirement has been eliminated from use in Jacksonville District submittal procedures.

9. Column (d.) -- "NO. OF COPIES": Enter the number of copies transmitted to the Contracting Officer.

10. CONTRACT REFERENCE DOCUMENT:

Column (e.) -- "SPEC. PARA. NO.": Enter the Section subpart number that specified each submittal item. Most of these are provided by Contracting Officer on Submittal Register Column (e) -- "PARAGRAPH #"; however, during Contractor preconstruction review there may be additional submittal items found in specification text; or,

Column (f.) -- "DRAWING SHEET NO.": Occasionally during Contractor's preconstruction review, Contractor may discover a drawing note that requires a submittal item to be added to the submittal register. Identify Drawing No. and alpha-numeric matrix zone designation where item is required for submittal (e.g., 6/2,H-2).

11. Column (g.) -- "FOR CONTRACTOR USE CODE": Enter action codes given by Contractor's approving authority (CQC System Manager) to items furnished by subcontractor, supplier, or fabricators for transmittal to Contracting Officer. Items coded other than "A" or "B" should be immediately returned to subcontractor, supplier, or fabricator and forwarded to Contracting Officer.

12. Column (h.) -- "VARIATION": Place an "X" when transmitting a submittal item that is a variation. Column (h.) is to be used only for submittal items that do not meet contract requirements, however, are being proposed for use as "variations" from contract requirements. Variations require Contracting Officer approval pursuant to Clause SPECIFICATIONS AND DRAWINGS FOR CONSTRUCTION of Section 00700 CONTRACT CLAUSES. Submittal items proposed as a variation become "G" submittals.

13. Column (i.) -- "FOR CE USE CODE": Leave Blank. This column is for use by Contracting Officer to provide action code to Contractor.

14. Block -- "REMARKS": Used by Contractor or Contracting Officer to provide additional information on transmitted submittal items. When Column (h.) has an "X", Contractor shall make a mandatory remark to note variation is submitted. ENG Form 4025 "REMARKS" block and attachments are used as needed to fully describe variations or Contracting Officer action codes.

15. Block -- "CERTIFICATION": Self-explanatory. Contractor's approving authority shall sign and certify transmittals sent to Contracting Officer. (For electronic versions, use "/S/ and name" to officially indicate paper version has been signed.)

16. Block -- "SECTION II - APPROVAL ACTION": Reserved for Contracting Officer use.

### 3.5 SUBMITTAL PROCEDURES

Submittals shall be made as follows:

### 3.5.1 Procedures

Transmit 8 copies of "G" submittal items and 5 copies of "FIO" submittals to Contracting Officer.

### 3.5.2 Variations

Variations are described in Clause SPECIFICATIONS AND DRAWINGS FOR CONSTRUCTION of Section 00700 CONTRACT CLAUSES. Variations are Contractor proposed changes to contract quality for those submittal items identified and transmitted as variations. "FIO" submittal items become "G" submittal items for Government review and approval. Ensure ENG Form 4025 Column (h.) has an "X" and variation is described in writing in "REMARKS" block. Once approved by Contracting Officer, variations modify contract requirements. Approved variations may require adjustments to contract price for increased cost ("change order") or decreased costs ("Owner's credit") and construction period. Contracting Officer reserves right to rescind inadvertent approval of submittal items containing unnoted variations.

### 3.6 CONTROL OF SUBMITTALS

Carefully control procurement operations to ensure that each submittal item is made on or before the Contractor scheduled submittal date shown on the approved "Submittal Register".

### 3.7 GOVERNMENT APPROVED SUBMITTALS

Upon completion of review of submittals requiring Government approval, submittals will be identified as having received approval by being so stamped and dated. Five (5) copies of the submittal will be retained by the Contracting Officer and three (3) copies of the submittal will be returned to the Contractor. For streamlined "G" submittals, action coding and comment response are returned via a standard format E-mail to Contracting Officer's Representative for transmittal back to Contractor. Contractor shall attach a copy of Contracting Officer review action to the file copies of the submittal item.

### 3.8 INFORMATION ONLY SUBMITTALS

Normally submittals for "FIO" are approved by Contractor. "FIO" submittals will be spot-checked by Contracting Officer for contract compliance. "FIO" submittal items are not usually returned and Contractor will be notified by Contracting Officer that they have received an "F" action code. Submittal items found not to comply with contract requirements will be given an action code of "FX" and returned to the Contractor. Contractor shall resubmit submittal items coded as "FX" for Government "G" approval. Government reserves right to require Contractor to resubmit items later found not to comply with contract. This does not relieve the Contractor from the obligation to furnish material conforming to the plans and specifications; will not prevent the Contracting Officer from requiring removal and replacement of nonconforming material incorporated in the work; and does not relieve the Contractor of the requirement to furnish samples for testing by Contracting Officer laboratory or for check testing by Contracting Officer in those instances required by the contract.

### 3.9 CONTRACTOR REVIEW STAMP

Prior to transmitting a submittal to Contracting Officer, Contractor CQC System Manager shall stamp top sheet of each copy of a submittal item to certify that submittal item meets contract requirements. Stamp shall be similar to the following:

( CONTRACT NUMBER: DACW17-0X-C-00XX ) ( Contractor NAME )	
_____	"A" - Approved as Noted
_____	"B" - Approved with corrections as noted on submittal item or attached sheet(s)
SIGNATURE:	_____
TITLE:	_____
DATE:	_____ PHONE: _____

3.10 SUBMITTAL REGISTER

See APPENDIX 01330-A at the end of this Section (5) pages).

3.11 TRANSMITTAL OF SHOP DRAWINGS, ENG FORM 4025

See APPENDIX 01330-B at the end of this Section (2) pages).

-- End of Section --

# SUBMITTAL REGISTER

CONTRACT NO.  
DACW17-02-B-0014

TITLE AND LOCATION						CONTRACTOR											
Maintenance Dredging, 28 and 30-Foot Project, Ft. Pierce Harbor																	
ACTIVITY NO	TRANSMITTAL NO	SPEC SECT	DESCRIPTION ITEM SUBMITTED	PARAGRAPH	GOVT CLASSIFICATION	CONTRACTOR: SCHEDULE DATES			CONTRACTOR ACTION		APPROVING AUTHORITY					MAILED TO CONTR/ DATE RCD FRM APPR AUTH	REMARKS
						SUBMIT	APPROVAL NEEDED BY	MATERIAL NEEDED BY	CODE	DATE OF ACTION	DATE FWD TO APPR AUTH/ DATE RCD FROM CONTR	DATE FWD TO OTHER REVIEWER	DATE RCD FROM OTH REVIEWER	CODE	DATE OF ACTION		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)
		01000	SD-01 Preconstruction Submittals Hurricane and Severe Storm Plan		G COR												
			SD-07 Certificates Critical Lift Plan		G COR												
		01310	SD-01 Preconstruction Submittals Standard Form 100 FIO Affirmative Action Plan List of Subcontractors Signature Authority Drug-Free Work Place Record Accident Prevention Plan Diving Plan (including Activity Hazards Analysis)		G COR G COR												
		01321	SD-01 Preconstruction Submittals Construction Schedule		G COR												
		01330	SD-01 Preconstruction Submittals Submittal Register		G COR												
		01355	SD-01 Preconstruction Submittals Environmental Protection Plan SD-11 Closeout Submittals Logs/Final Summary Report FIO Project Environmental Summary Sheet		G PD												
		01411	SD-03 Product Data														

# SUBMITTAL REGISTER

CONTRACT NO.  
DACW17-02-B-0014

TITLE AND LOCATION						CONTRACTOR											
Maintenance Dredging, 28 and 30-Foot Project, Ft. Pierce Harbor																	
ACTIVITY NO	TRANSMITTAL NO	SPEC SECT	DESCRIPTION ITEM SUBMITTED	PARAGRAPH	GOVT CLASSIFICATION	CONTRACTOR: SCHEDULE DATES			CONTRACTOR ACTION		APPROVING AUTHORITY					REMARKS	
						DATE FWD TO APPR AUTH/	DATE RCD FROM CONTR	DATE FWD TO OTHER REVIEWER	DATE RCD FROM OTH REVIEWER	DATE OF ACTION	DATE OF ACTION	DATE OF ACTION	DATE OF ACTION	DATE OF ACTION	DATE OF ACTION		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)
		01411	Calibration Standard FIO														
			SD-06 Test Reports Turbidity Monitoring FIO														
		01451	SD-01 Preconstruction Submittals Laboratory Qualifications Contractor Quality Control (CQC) Plan Letter of Authority FIO		G COR G COR												
		01500	SD-01 Preconstruction Submittals Mobilization/Demobilization Plan FIO														
		01780	SD-02 Shop Drawings As-Built Drawings	1.2.1	G COR												
		02325	SD-01 Preconstruction Submittals Notice of Intent to Dredge FIO Relocation of Navigation Aids SD-07 Certificates Electronic Tracking System Data FIO Equipment and Performance Data Notification of Discovery of Historical Period Shipwreck Sites														



SECTION TABLE OF CONTENTS

DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01355

ENVIRONMENTAL PROTECTION

PART 1 GENERAL

- 1.1 SCOPE
- 1.2 REFERENCES
  - 1.2.1 Miscellaneous Environmental Laws And Regulations
  - 1.2.2 Publication Reference(s)
- 1.3 QUALITY CONTROL
- 1.4 PERMITS AND AUTHORIZATIONS
- 1.5 SUBMITTALS
- 1.6 SUBCONTRACTORS
- 1.7 NOTIFICATION
- 1.8 TRAINING OF CONTRACTOR PERSONNEL IN POLLUTION CONTROL

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION

- 3.1 PROTECTION OF ENVIRONMENTAL RESOURCES
  - 3.1.1 General Project Environmental Design and Installation Criteria
    - 3.1.1.1 Sewage-Based Systems Environmental Design and Installation Criteria
  - 3.1.2 Protection of Land Resources
    - 3.1.2.1 Work Area Limits
    - 3.1.2.2 Solid Wastes
    - 3.1.2.3 Fuel, Oil, and Lubricants
    - 3.1.2.4 Hazardous Waste
    - 3.1.2.5 Hazardous Materials
    - 3.1.2.6 Disposal of Other Materials
  - 3.1.3 Preservation and Recovery of Historic, Archeological, and Cultural Resources
    - 3.1.3.1 Applicable Law
    - 3.1.3.2 Known Resources
    - 3.1.3.3 Inadvertent Discoveries
    - 3.1.3.4 Claims for Downtime due to Inadvertent Discoveries
  - 3.1.4 Protection of Water Resources
    - 3.1.4.1 Monitoring of Water Areas
    - 3.1.4.2 Turbidity
    - 3.1.4.3 Oil, Fuel, and Hazardous Substance Spill Prevention and Mitigation
  - 3.1.5 Protection of Fish and Wildlife Resources
    - 3.1.5.1 Endangered Species Protection
    - 3.1.5.2 Manatee, Sea Turtle, and Whale Sighting Reports
    - 3.1.5.3 Report Submission
  - 3.1.6 Seagrass Protection Measures
  - 3.1.7 Protection of Air Resources

- 3.1.7.1 Particulates
- 3.1.7.2 Burning
- 3.1.7.3 Odors
- 3.1.8 Protection of Sound Intrusions
- 3.2 POSTCONSTRUCTION CLEANUP
- 3.3 PRESERVATION AND RESTORATION OF LANDSCAPE AND MARINE VEGETATION  
DAMAGES
- 3.4 MAINTENANCE OF POLLUTION CONTROL FACILITIES
- 3.5 SAMPLE - MANATEE CAUTION SIGNS
- 3.6 SAMPLE - DAILY MANATEE REPORTING LOG
- 3.7 SAMPLE - WHALE SIGHTING LOG
- 3.8 PROJECT ENVIRONMENTAL SUMMARY SHEET
- 3.9 CERTIFICATION LETTER ACKNOWLEDGING ALL PERMITS ARE ON FILE

-- End of Section Table of Contents --

SECTION 01355

ENVIRONMENTAL PROTECTION

PART 1 GENERAL

1.1 SCOPE

This Section covers prevention of environmental damage as the result of construction operations under this contract and for those measures set forth in other Technical Requirements of these specifications. For the purpose of this specification, environmental damage is defined as the presence of hazardous, physical, chemical, or biological elements or agents which adversely affect human health or welfare; unfavorably alter ecological balances; affect other species, biological communities, or ecosystems; or degrade the quality of the environment for aesthetic, cultural, and/or historical purposes. The control of environmental damage requires consideration of land, water, and air, and includes management of visual aesthetics, noise, solid waste, radiant energy and radioactive materials, as well as other pollutants.

1.2 REFERENCES

1.2.1 Miscellaneous Environmental Laws And Regulations

There are numerous environmental laws and regulations. At the Federal level, the applicable laws and regulations include compliance with the Clean Water Act (CWA); Clean Air Act (CAA); Coastal Zone Management Act (CZMA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Endangered Species Act (ESA); Fish and Wildlife Coordination Act (FWCA); Marine Protection, Research, and Sanctuaries Act (MPRSA); Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA); National Environmental Policy Act (NEPA); National Historic Preservation Act (NHPA); National Pollution Discharge Elimination System (NPDES); Research and Sanctuaries Act; Native American Graves Protection and Repatriation Act (NAGPRA); Resource Conservation and Recovery Act (RCRA); Rivers and Harbors Act (R&H); Safe Drinking Water Act (SDWA); Toxic Substance Control Act (TSCA); Wild and Scenic Rivers Act (WSRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Code of Federal Regulations (CFRs); Executive Orders; and, Environmental Protection Agency (EPA) requirements. NEPA compliance measures specified in an Environmental Assessment (EA) or Environmental Impact Statements (EIS) are also applicable with regard to compliance.

1.2.2 Publication Reference(s)

The publication listed below forms a part of this specification to the extent referenced. The publication is referred to in the text by basic designation only.

ENGINEERING MANUALS (EM)

EM 385-1-1	(1996) Safety and Health Requirements
EM 1110-1-1003	(1996) NAVSTAR Global Positioning System

Surveying

1.3 QUALITY CONTROL

The Contractor shall establish and maintain quality control for environmental protection of all items set forth herein. The Contractor shall record on daily quality control reports or attachments thereto, any problems in complying with laws, regulations and ordinances, and corrective action taken.

1.4 PERMITS AND AUTHORIZATIONS

The Contractor shall obtain all needed permits or licenses. The Government will not obtain any permits for this project; see Clause PERMITS AND RESPONSIBILITIES of Section 00700 CONTRACT CLAUSES. The Contractor shall be responsible for implementing the terms and requirements of the appropriate permits as needed and for payment of all fees.

In addition to the above, the Contractor shall comply with all requirements under the terms and conditions set out in the following permit(s) and authorization(s) obtained by the Corps of Engineers listed below. These permit(s) and authorization(s) are available for review by contacting the Jacksonville District, Operations and Technical Support Section at 904-232-2539.

- a. Florida Department of Environmental Protection  
Permit No. 562144859;  
Effective Date: 15 January 1993;  
Expiration Date: 15 January 2003.

1.5 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals having an "FIO" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. The following shall be submitted in accordance with Section 01330 SUBMITTAL PROCEDURES:

SD-01 Preconstruction Submittals

Environmental Protection Plan; G|PD.

Within 20 calendar days after the date of Notice of Award, the Contractor shall submit an Environmental Protection Plan for review and acceptance by the Contracting Officer. The Government will consider an interim plan for the first 30 days of operations. However, the Contractor shall furnish an acceptable final plan no later than 30 calendar days after receipt of Notice to Proceed. Acceptance of the Contractor's plan shall not relieve the Contractor of his responsibility for adequate and continuing control of pollutants and other environmental protection measures. Acceptance of the plan is conditional and predicated on satisfactory performance during construction. The Government reserves the right to require the Contractor to make changes to the Environmental Protection Plan or operations if the Contracting Officer determines that environmental protection requirements are not being met. No physical work at the site shall begin prior to acceptance of the Contractor's plan or an interim plan covering the work to be performed. The Environmental Protection Plan shall include but not be limited to the following:

- a. A list of Federal, State, and local laws, regulations, and permits concerning environmental protection, pollution control, and abatement that are applicable to the Contractor's proposed operations and the requirements imposed by those laws, regulations, and permits.
- b. Methods for protection of features to be preserved within authorized work areas. The Contractor shall prepare a listing of methods to protect resources needing protection, i.e., trees, shrubs, vines, grasses and ground cover, landscape features, air and water quality, fish and wildlife, soil, historical, archeological, and cultural resources.
- c. Procedures to be implemented to provide the required environmental protection and to comply with the applicable laws and regulations. The Contractor shall provide written assurance that immediate corrective action will be taken to correct pollution of the environment due to accident, natural causes, or failure to follow the procedures set out in accordance with the environmental protection plan.
- d. A permit or license for and the location of the solid waste disposal area.
- e. Drawings showing locations of any proposed temporary excavations or embankments for haul roads, stream crossing, material storage areas, structures, sanitary facilities, and stockpiles of excess or spoil materials.
- f. Environmental monitoring plans for the job site, including land, water, air, and noise monitoring.
- g. Traffic control plan.
- h. Methods of protecting surface and ground water during construction activities.
- i. Spill prevention. The Contractor shall specify all potentially hazardous substances to be used on the job site and intended actions to prevent accidental or intentional introduction of such materials into the air, ground, water, wetlands, or drainage areas. The plan shall specify the Contractor's provisions to be taken to meet Federal, State, and local laws and regulations regarding labeling, storage, removal, transport, and disposal of potentially hazardous substances.
- j. Spill contingency plan for hazardous, toxic, or petroleum material.
- k. Work area plan showing the proposed activity in each portion of the area and identifying the areas of limited use or nonuse. Plan should include measures for marking the limits of use areas.
- l. Plan of borrow area(s).
- m. A statement as to the person who shall be responsible for implementation of the Environmental Protection Plan. The Contractor personnel responsible shall report directly to the Contractor's top management and shall have the authority to act for the Contractor in all environmental protection matters.
- n. Recycling and Waste Management Plan. Executive Order 12873 of 20 October 1993 requires a number of considerations in planning a project.

Fallen trees should not be burned or buried. Mulching, composting, and other uses for trees should be considered. Also, recovery of metals at the job site, including aluminum cans, should be considered with proceeds to be retained by the Contractor. Non-Federal recycling and waste minimization efforts shall also be incorporated into this plan.

o. A Certification Letter must be signed acknowledging the Contractor has a copy of all permits applicable to the project and understands the conditions in the permits, see Appendix titled "CERTIFICATION LETTER ACKNOWLEDGING ALL PERMITS ARE ON FILE". The Certification Letter shall be attached to the Environmental Protection Plan.

~~p. Operational plan to achieve protection of sea turtles during hopper dredge(s) operation.~~

~~SD-02 Shop Drawings~~

~~Turtle Deflector Device; G|COR.~~

~~If the Contractor proposes to use a hopper dredge for this work, detail drawings shall be submitted showing the proposed device and its attachment to the Contractor's equipment. Contractor's drawings to be submitted shall include the approach angle for any and all depths to be dredged during this contract. A copy of the approved drawings and calculations shall be available on the vessel during the life of this contract. No dredging work shall be allowed to commence until approval of the turtle deflector device.~~

~~SD-07 Certificates~~

~~Qualifications; FIO.~~

~~Sea Turtle Trawling and Relocation (For Hopper Dredges Only) Permit; FIO.~~

~~The Contractor shall submit a certified copy of National Marine Fishery Service (NMFS) permit for sea turtle trawling and relocation as well as a statement as to the person responsible for implementation of the NMFS permit.~~

SD-11 Closeout Submittals

Logs/Final Summary Report; FIO.

Contractor shall submit as specified, logs and final summary report of sightings and incidents with endangered species.

Project Environmental Summary Sheet; FIO.

Contractor shall submit within 30 days following completion of the project, a written report of the absence or occurrence of environmental incidents. In addition, for construction activities whose anticipated duration is more than one calendar year, the Contractor shall complete a sheet each May 31st (plus/minus 14 days).

~~Hopper Dredge(s) Recording Chart(s); FIO.~~

~~Contractor shall submit as specified, a copy of the hopper dredge(s) output recording chart(s) for each day's operation on a daily basis.~~

## 1.6 SUBCONTRACTORS

Assurance of compliance with this section by subcontractors shall be the responsibility of the Contractor.

## 1.7 NOTIFICATION

The Contracting Officer will notify the Contractor in writing of any observed noncompliance with the aforementioned Federal, State, or local laws or regulations, permits and other elements of the Contractor's environmental protection plan. The Contractor shall, after receipt of such notice, inform the Contracting Officer of proposed corrective action and take such action as may be approved. If the Contractor fails to comply promptly, the Contracting Officer may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No time extensions shall be granted or costs or damages allowed to the Contractor for any such suspension.

Additionally, the Contractor shall notify the Contracting Officer, in writing, of the absence or occurrence of environmental incidents, as required on the Project Environmental Summary Sheet, copy appended to the end of this Section. (Refer to paragraph SUBMITTALS above.)

## 1.8 TRAINING OF CONTRACTOR PERSONNEL IN POLLUTION CONTROL

The Contractor shall train his personnel in all phases of environmental protection. The training shall include methods of detecting and avoiding pollution, familiarization with pollution standards, both statutory and contractual, and careful installation and monitoring of the project to ensure adequate and continuous environmental pollution control. Quality Control and supervisory personnel shall be thoroughly trained in the proper use of monitoring devices and abatement equipment, and shall be thoroughly knowledgeable of Federal, State, and local laws, regulations, and permits as listed in the Environmental Protection Plan submitted by the Contractor.

Quality Control personnel will be identified in the Quality Control Plan submitted in accordance with Section 01451 CONTRACTOR QUALITY CONTROL.

## PART 2 PRODUCTS (NOT APPLICABLE)

## PART 3 EXECUTION

### 3.1 PROTECTION OF ENVIRONMENTAL RESOURCES

For contract work, the Contractor shall comply with all applicable Federal, State, or local laws and regulations. The environmental resources within the project boundaries and those affected outside the limits of permanent work under this contract shall be protected at least during the entire period of this contract. The Contractor shall confine his activities to areas defined by the drawings and specifications. Deviations from drawings or specifications (e.g., proposed alternate borrow areas, disposal areas, staging areas, and alternate access routes) could result in the need for the Government to reanalyze and re-approve the project from an environmental standpoint. Environmental protection shall be as stated in the following subparagraphs.

#### 3.1.1 General Project Environmental Design and Installation Criteria

Some project sites have features that shall not be impacted in any way, including cultural, historic, or archeological features. At all sites,

project plans should minimize disturbance to existing features at the site to the extent possible, including vegetative, topographic, and drainage pattern features. Wetland impacts (temporary access, detours, staging areas, and other work area impacts) to project sites should be avoided and may require separate permitting action. Any wetlands temporarily impacted shall have its soil restored upon project completion. Expansion of previously permitted project footprints may likewise require separate permitting action.

In all cases, the design and/or installation of project system shall provide for protection of the environment during handling, installing, storing, utilizing, transporting, servicing, testing, refilling, transferring, pumping, processing, removing waste products, repairing and maintaining systems and their components. Necessary design protection shall also be considered that would prevent contamination of the environment from impacts to the system caused by storm water runoff and flooding. Retrofit of connected systems on project sites to modern environmental protection design standards shall also be considered.

In the event environmental protection measures fail, the Contractor shall implement procedures to control and correct environmental damage.

#### 3.1.1.1 Sewage-Based Systems Environmental Design and Installation Criteria

In general, there shall be no waste or debris discharges of any kind for a project unless authorized by the Contracting Officer. This shall include the Contractor's providing sufficient temporary sanitary equipment and facilities for the project. The design and/or installation of temporary or permanent sewage systems shall ensure that waters will be free of effects of sewage discharges. Applicable Federal, State, or local codes and requirements regarding sewage shall be strictly adhered to in the design, such as those of the EPA and, in the case of the State, Chapter 62-620 (Wastewater Facilities) of the Florida Administrative Code (FAC). Best Management Practices from the applicable agencies shall also be adhered to in the design.

#### 3.1.2 Protection of Land Resources

Prior to the beginning of any construction, the Contractor shall identify all land resources to be preserved or avoided within the Contractor's work area. Materials displaced into uncleared areas shall be removed. The Contractor shall not remove, cut, deface, injure, or destroy land resources including trees, shrubs, vines, grasses, topsoil, and land forms without special permission from the Contracting Officer. The Contractor shall engage a qualified tree surgeon to perform all tree surgery. The Contractor shall be responsible to repair injuries to bark, trunk, branches, and roots of protected trees by dressing, cutting, and painting as specified for Class I Fine Pruning, of the National Arborist Association Pruning Standards for Shade Tree or as per State's Agricultural Extension Agency Guidelines, immediately as occurrences arise. No ropes, cables, or guys shall be fastened to or attached to any trees for anchorage unless specifically authorized. Where such special emergency use is permitted, the Contractor shall provide effective protection for land and vegetation resources at all times as defined in the following subparagraphs.

##### 3.1.2.1 Work Area Limits

Prior to any construction, the Contractor shall mark the areas that are not required to accomplish all work to be performed under this contract.

Isolated areas within the general work area which are to be saved and protected shall also be marked or fenced. The Contractor shall protect from damage all existing trees designated to remain. Protection of tree roots shall be provided against noxious materials in solution caused by run-off or spillage. Fires shall be located outside the canopy of protected trees. No materials, trailers, or equipment shall be stored within the drip line of any protected tree. Monuments and markers shall be protected before construction operations commence. Where construction operations are to be conducted during darkness, the markers shall be visible. The Contractor shall convey to his personnel the purpose of marking and/or protection of all necessary objects.

The Contractor shall thoroughly clean all construction equipment at the prior job site in a manner that ensures all residual soil is removed and that egg deposits from plant pests are not present. The Contractor shall consult with the U.S. Department of Agriculture (USDA) regarding additional cleaning requirements that may be necessary.

#### 3.1.2.2 Solid Wastes

Solid wastes (excluding clearing debris) shall be placed in containers which are emptied on a regular schedule. All handling and disposal shall be conducted to prevent contamination. Solid waste materials shall be hauled to a Government approved solid waste disposal site. The Contractor shall comply with Federal, State, and local regulations pertaining to the use of the solid waste disposal site.

#### 3.1.2.3 Fuel, Oil, and Lubricants

Fuel, oil, and lubricants shall be managed so as to prevent spills and evaporation. To prevent spills, fuel dispensers shall have a 4-foot square, 16-gauge metal pan with borders banded up and welded at corners right below the bibb. Edges of the pans shall be 8-inch minimum in depth to ascertain that no contamination of the ground takes place. Pans shall be cleaned by an approved method immediately after every dispensing of fuel and wastes disposed of offsite in an approved area. Should any spilling of fuel occur, the Contractor shall immediately recover the contaminated ground and dispose of it offsite in an approved area. Petroleum waste generated shall be stored in marked corrosion-resistant containers and recycled or disposed of in accordance with 40 CFR 279, State, and local regulations.

#### 3.1.2.4 Hazardous Waste

Hazardous wastes are defined in 40 CFR 261. The Contractor shall ensure that hazardous wastes are stored and disposed of in accordance with 40 CFR 261 and State and local regulations. The Contractor shall ensure that hazardous wastes are packed, labeled, and transported in accordance with 49 CFR 173 and State and local regulations.

#### 3.1.2.5 Hazardous Materials

The Contractor shall ensure that hazardous materials are labeled, stored, and transported in accordance with 49 CFR 173, State, and local regulations.

#### 3.1.2.6 Disposal of Other Materials

Other materials than previously discussed (Construction and Demolition, vegetative waste, etc.) shall be handled as directed.

### 3.1.3 Preservation and Recovery of Historic, Archeological, and Cultural Resources

#### 3.1.3.1 Applicable Law

A number of Federal laws require protection of cultural resources. Two laws, in particular, can be potentially involved with dredging activities: (1) the National Historic Preservation Act, as amended; and, (2) the Abandoned Shipwreck Act.

#### 3.1.3.2 Known Resources

There are no known historical, archeological or cultural resources within the project area.

#### 3.1.3.3 Inadvertent Discoveries

If, during or other construction activities, the Contractor observes items that may have historic or archeological value, such observations shall be reported immediately to the Contracting Officer so that the appropriate Corps staff may be notified and a determination for what, if any, additional action is needed. Examples of historic, archeological and cultural resources are bones, remains, artifacts, shell, midden, charcoal or other deposits, rocks or coral, evidences of agricultural or other human activity, alignments, and constructed features. The Contractor shall cease all activities that may result in the destruction of these resources and shall prevent his employees from further removing, or otherwise damaging, such resources.

The possibility of encountering submerged cultural resources is inherent in dredging and snagging operations. Such findings could include shipwrecks, shipwreck debris fields (such as streamed engine parts), prehistoric watercraft (such as log "dugouts"), and other structural features intact or displaced. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. Suspected cultural materials inadvertently gathered from a water-saturated context should be kept moist by re-immersion, spraying, or some other expedient means of wetting until the appropriate Corps staff provide further directives. No interviews or other contact with media shall occur without clear authorization from the Contracting Officer or the appropriate Corps representative.

#### 3.1.3.4 Claims for Downtime due to Inadvertent Discoveries

Upon discovery and subsequent reporting of a possible inadvertent discovery of cultural resources, the Contractor shall seek to continue work well away from, or otherwise protectively avoiding, the area of interest, or in some other manner that strives to continue productive activities in keeping with the contract. Should an inadvertent discovery be of the nature that substantial impact(s) to the work schedule are evident, such delays shall be coordinated with the Contracting Officer.

#### 3.1.4 Protection of Water Resources

The Contractor shall keep construction activities under surveillance, management, and control to avoid pollution of surface, ground waters, and wetlands. The Contractor shall plan his operation and perform all work necessary to minimize adverse impact or violation of the water quality

standard. Special management techniques as set out below shall be implemented to control water pollution by the listed construction activities which are included in this contract. The Contractor's construction methods shall protect wetland and surface water areas from damage due to mechanical grading, erosion, sedimentation and turbid discharges. There shall be no storage or stockpiling of equipment, tools, or materials within wetlands or along the shoreline within the littoral zone unless specifically authorized.

#### 3.1.4.1 Monitoring of Water Areas

Monitoring of water areas affected by construction activities shall be the responsibility of the Contractor. All water areas affected by construction activities shall be monitored by the Contractor.

#### 3.1.4.2 Turbidity

The Contractor shall conduct his operations in a manner to minimize turbidity. See Section 01411 TURBIDITY AND DISPOSAL MONITORING specifications for further instructions.

#### 3.1.4.3 Oil, Fuel, and Hazardous Substance Spill Prevention and Mitigation

The Contractor shall prevent oil, fuel, or other hazardous substances from entering the air, ground, drainage, local bodies of water, or wetlands. This shall be accomplished by design and procedural controls. In the event that a spill occurs despite the design and procedural controls, the following shall occur:

- (1) Immediate action shall be taken to contain and cleanup any spill of oil, fuel or other hazardous substance.
- (2) Spills shall be immediately reported to the Contracting Officer.
- (3) Spill contingency planning shall be strictly in accordance with the criteria of 40 CFR, Part 109.
- (4) To control the spread of any potential spill, absorbent materials shall be readily available and capable of absorbing the contents of the single largest tank.
- (5) To control the spread of any potential spill, the Contractor shall provide a written certification of commitment of manpower, equipment, and materials required to expeditiously cleanup and dispose of spill materials.

##### a. Spill Preventive Systems

System design and installation requirements have been discussed at the beginning of this Section. Temporary or portable tanks shall conform to applicable Federal, State, and local codes and requirements and shall not be placed where they may be affected by storm, flooding, or washout. Diversionary structures for spills shall be put in place in advance where practical. Both spill preventive systems and any deviations from associated requirements must be approved by the Contracting Officer prior to implementation.

##### b. Liabilities

The Contractor shall be liable in the amounts established in 40 CFR, Part 113 when it can be shown that oil was discharged as a result of willful negligence or willful misconduct. The penalty for failure to report the discharge of oil shall be in accordance with the provision of 33 CFR, Part 153.

### 3.1.5 Protection of Fish and Wildlife Resources

The Contractor shall keep construction activities under surveillance, management, and control to minimize interference with, disturbance to, and damage of fish and wildlife. Species that require specific attention along with measures for their protection shall be listed in the Contractor's Environmental Protection Plan prior to the beginning of construction operation.

#### 3.1.5.1 Endangered Species Protection

The Contractor shall instruct all personnel associated with the project of the potential presence of manatees, sea turtles, and whales in the area, and the need to avoid collisions with and harming these animals. All construction personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing manatees, sea turtles, or whales which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act. The Contractor shall be held responsible for any manatee, sea turtle, or whale harmed, harassed, or killed as a result of construction activities.

##### a. Siltation Barriers

If siltation barriers are used, they shall be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

##### b. Special Operating Conditions

(1) All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom, and vessels shall follow routes of deep water whenever possible. Boats used to transport personnel shall be shallow-draft vessels, preferably of the light-displacement category, where navigational safety permits. Mooring bumpers shall be placed on all barges, tugs, and similar large vessels wherever and whenever there is a potential for manatees to be crushed between two moored vessels. The bumpers shall provide a minimum stand-off distance of four feet.

(2) If a manatee(s) is sighted within 100 yards of the project area, all appropriate precautions shall be implemented by the Contractor to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. If a manatee is closer than 50 feet to moving equipment or the project area, the equipment shall be shut down and all construction activities shall cease within the waterway to ensure protection of the manatee. Construction activities shall not resume until the manatee has departed the project area.

(3) During the period December through March, barges or dredges moving through the designated critical habitat of the right whale (*Eubalaena glacialis*) shall take the following precautions. During evening hours or when there is limited visibility due to fog or sea states greater than Beaufort 3, the tug/barge or dredge operator shall slow down to 5 knots or less when traversing between areas if whales have been spotted within 15 nautical miles (nm) of the vessel's path within the previous 24 hours. During the period from 1 December through 30 March, daily aerial surveys within 15 nautical miles of the dredging and disposal sites will be conducted by others to monitor for the presence of the Right Whales. Right whale sightings will be immediately communicated by marine radio to the dredging Contractor's dredge. In addition, the tug/barge or dredge operator shall maintain a 500-yard buffer between the vessel and any whale. The area designated as critical habitat in the southeastern United States encompasses waters between 31 degrees 15 seconds N (approximately located at the mouth of the Altamaha River, GA) and 30 degrees 15 seconds N (approximately Jacksonville, FL) from the shoreline out to 15 nm offshore; and the waters between 30 degrees 15 seconds N and 28 degrees 00 seconds N (approximately Sebastian Inlet, FL) from the shoreline out to 5 nm.

(4) Dredging operations shall cease if three turtles are taken until the COR notifies the Contractor to resume dredging.

c. Manatee Monitoring (Clamshell Only)

During clamshell dredging operations, a dedicated observer shall monitor for the presence of manatees. If manatees are present, the observer shall document all activities with the use of a video camera with the capabilities of video taping at night. The video tape shall have date/time signature and record all manatee movements in the construction area and note any reactions to turbidity, sound, and light. The Contractor shall forward 3 copies to the Chief, Environmental Branch, P.O. Box 4970, Jacksonville, Florida, 32232-0019, within 10 days of completion of the dredging.

d. Manatee Signs

Prior to commencement of construction, each vessel involved in construction activities shall display at the vessel control station or in a prominent location, visible to all employees operating the vessel, a temporary sign at least 8-1/2" x 11" reading, "CAUTION: MANATEE HABITAT/IDLE SPEED IS REQUIRED IN CONSTRUCTION AREA." In the absence of a vessel, a temporary 3' x 4' sign reading "CAUTION: MANATEE AREA" will be posted adjacent to the issued construction permit. A second temporary sign measuring 8-1/2" x 11" reading "CAUTION: MANATEE HABITAT. EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION" shall be posted at the dredge operator control station and at a location prominently adjacent to the issued construction permit. The Contractor shall remove the signs upon completion of construction. Sample Manatee Caution Signs are appended to the end of this Section.

~~3.1.5.2 Endangered Species Observers (Hopper Dredge Only)~~

~~During dredging operations, an observer approved by the National Marine Fisheries Service (NMFS) for sea turtles and whales shall be aboard to~~

~~monitor for the presence of the species. During transit to and from the disposal area, the observer shall monitor from the bridge during daylight hours for the presence of endangered species, especially the right whale, during the period December through March. During dredging operations, the observer shall monitor the inflow screening for turtles and/or turtle parts.~~

~~a. Observation Sheets~~

~~The results of the monitoring shall be recorded on the appropriate observation sheet. An observation sheet shall be completed for each dredging cycle whether or not sea turtle or sea turtle parts are present. Sample observation sheets are appended to the end of this Section.~~

~~b. Endangered Species Observer(s)~~

~~NMFS approved firms shall provide and manage the endangered species observer(s). A list of acceptable firms can be obtained by contacting NMFS (Chief of Office of Protective Species) in St. Petersburg, Florida at 727-570-5312. The trained observer(s) shall require quarters on board the dredge.~~

3.1.5.2 Manatee, Sea Turtle, and Whale Sighting Reports

Any take concerning a manatee, sea turtle, or whale or sighting of any injured or incapacitated manatees, sea turtles, or whales shall be reported immediately to the Corps of Engineers. The order of contact within the Corps of Engineers shall be as follows:

Order of Contact of Corps Personnel for Dredging  
Contractor to Report Endangered Species Death or Injury

<u>Title</u>	<u>Telephone Number</u>	
	<u>Work Hours</u>	<u>After Hours</u>
Corps, Inspector	On site	Lodging Location
Mr. J. George Cooper, Area Engineer, South Florida Area Office (CESAJ-CO-W)	561-626-8195	To be Provided
Mr. Loren Mason, Chief, Environmental Branch, Planning Division (CESAJ-PD-E)	904-232-2202	To be Provided
Mr. Charles McGehee, Chief, Construction Branch, Construction-Operations Division (CESAJ-CO-C)	904-232-1122	To be Provided
Mr. Gordon M. Butler, Jr., Chief, Construction-Operations Division (CESAJ-CO)	904-232-3765	To be Provided

A copy of the incidental take report shall be provided within 24 hours of the incident. The Contractor shall also immediately report any collision with and/or injury to a manatee to the Florida Marine Patrol "Manatee Hotline" 1-800-342-5367 as well as the U.S. Fish and Wildlife Service, Vero Beach Field Office 561-562-3909 for South Florida.

~~3.1.5.4 Disposition of Turtles or Turtle Parts~~

~~Positively identified turtle parts shall be disposed of in accordance with~~

~~the direction of the COR. Turtle parts which cannot be positively identified on board the dredge or barge(s) shall be preserved by the observer(s) for later identification. Observer(s) shall measure, weigh, tag, and release any uninjured turtles incidentally taken by the dredge. Observer(s) (or their authorized representative) shall transport, as soon as possible, any injured turtles to a rehabilitation facility such as Sea World at Orlando, Florida.~~

### 3.1.5.3 Report Submission

The Contractor shall maintain a log detailing all incidents, including sightings, collisions with, injuries, or killing of manatees, sea turtles, or whales occurring during the contract period. The data shall be recorded on forms provided by the Contracting Officer (sample forms are appended to the end of this Section). All data in original form shall be forwarded directly to the Chief, Environmental Branch, P. O. Box 4970, Jacksonville, Florida, 32232-0019, within 10 days of collection and copies of the data shall be supplied to the Contracting Officer. Following project completion, a report summarizing the above incidents and sightings shall be submitted to the following:

Florida Fish and Wildlife Conservation Commission  
Bureau of Protected Species Management  
620 South Meridian Street  
Tallahassee, Florida 32399-1600

Chief, Environmental Branch  
U.S. Army Corps of Engineers (CESAJ-PD-E)  
P.O. Box 4970  
Jacksonville, Florida 32232-0019

J. George Cooper, Area Engineer,  
South Florida Area Office  
U.S Army Corps of Engineers (CESAJ-CO-W)  
4400 PGA Boulevard, Suite 203  
Palm Beach Gardens, Florida 33410

U.S. Fish and Wildlife Service  
1339-20th Street  
Vero Beach, Florida 32960-3559

National Marine Fisheries Service  
Protected Species Management Branch  
9721 Executive Center Drive  
St. Petersburg, Florida 33702

### ~~3.1.5.6 Hopper Dredge Equipment~~

~~Hopper dredge drag heads shall be equipped with rigid sea turtle deflectors which are rigidly attached. No dredging shall be performed by a hopper dredge without a turtle deflector device that has been approved by the Contracting Officer. (Sample Turtle Deflector Design Details are appended to the end of this Section.)~~

#### ~~a. Deflector Design~~

~~(1) The leading vee shaped portion of the deflector shall have an included angle of less than 90 degrees. Internal reinforcement shall be installed in the deflector to prevent structural failure.~~

~~of the device. The leading edge of the deflector shall be designed to have a plowing effect of at least 6" depth when the drag head is being operated. Appropriate instrumentation or indicator shall be used and kept in proper calibration to insure the critical "approach angle". (Information Only Note: The design "approach angle" or the angle of lower drag head pipe relative to the average sediment plane is very important to the proper operation of a deflector. If the lower drag head pipe angle in actual dredging conditions varies tremendously from the design angle of approach used in the development of the deflector, the 6" plowing effect does not occur. Therefore, every effort should be made to insure this design "approach angle" is maintained with the lower drag pipe.)~~

~~(2) If adjustable depth deflectors are installed, they shall be rigidly attached to the drag head using either a hinged aft attachment point or an aft trunnion attachment point in association with an adjustable pin front attachment point or cable front attachment point with a stop set to obtain the 6" plowing effect. This arrangement allows fine tuning the 6" plowing effect for varying depths. After the deflector is properly adjusted there shall be NO openings between the deflector and the drag head that are more than 4" by 4".~~

~~b. In Flow Basket Design~~

~~(1) The Contractor shall install baskets or screening over the hopper inflow(s) with no greater than 4" x 4" openings. The method selected shall depend on the construction of the dredge used and shall be approved by the Contracting Officer prior to commencement of dredging. The screening shall provide 100% screening of the hopper inflow(s). The screens and/or baskets shall remain in place throughout the performance of the work.~~

~~(2) The Contractor shall install and maintain floodlights suitable for illumination of the baskets or screening to allow the observer to safely monitor the hopper basket(s) during non daylight hours or other periods of poor visibility. Safe access shall be provided to the inflow baskets or screens to allow the observer to inspect for turtles, turtle parts or damage.~~

~~c. Hopper Dredge Operation~~

~~(1) The Contractor shall operate the hopper dredge to minimize the possibility of taking sea turtles and to comply with the requirements stated in the Incidental Take Statement provided by the National Marine Fisheries Service in their Biological Opinion.~~

~~(2) The turtle deflector device and inflow screens shall be maintained in operational condition for the entire dredging operation.~~

~~(3) When initiating dredging, suction through the drag heads shall be allowed just long enough to prime the pumps, then the drag heads must be placed firmly on the bottom. When lifting the drag heads from the bottom, suction through the drag heads shall be allowed just long enough to clear the lines, and then must cease. Pumping water through the drag heads shall cease while maneuvering or during travel to/from the disposal area.~~

~~(Information Only Note: Optimal suction pipe densities and velocities occur when the deflector is operated properly. If the required dredging section includes compacted fine sands or stiff clays, a properly configured arrangement of teeth may enhance dredge efficiency which reduces total dredging hours and "turtle takes." The operation of a drag head with teeth must be monitored for each dredged section to insure that excessive material is not forced into the suction line. When excess high density material enters the suction line, suction velocities drop to extremely low levels causing conditions for plugging of the suction pipe. Dredge operators should configure and operate their equipment to eliminate all low level suction velocities. Pipe plugging in the past was easily corrected, when low suction velocities occurred, by raising the drag head off the bottom until the suction velocities increased to an appropriate level. Pipe plugging cannot be corrected by raising the drag head off the bottom. Arrangements of teeth and/or the reconfiguration of teeth should be made during the dredging process to optimize the suction velocities.)~~

~~(4) Raising the drag head off the bottom to increase suction velocities is not acceptable. The primary adjustment for providing additional mixing water to the suction line should be through water ports. To insure that suction velocities do not drop below appropriate levels, the Contractor's personnel shall monitor production meters throughout the job and adjust primarily the number and opening sizes of water ports. Water port openings on top of the drag head or on raised stand pipes above the drag head shall be screened before they are utilized on the dredging project. If a dredge section includes sandy shoals on one end of a tract line and mud sediments on the other end of the tract line, the Contractor shall adjust the equipment to eliminate drag head pick ups to clear the suction line.~~

~~(5) Near the completion of each payment section, the Contractor shall perform sufficient surveys to accurately depict those portions of the acceptance section requiring cleanup. The Contractor shall keep the drag head buried a minimum of 6 inches in the sediment at all times. Although the over depth prism is not the required dredging prism, the Contractor shall achieve the required prism by removing the material from the allowable over depth prism.~~

~~(6) During turning operations the pumps must either be shut off or reduced in speed to the point where no suction velocity or vacuum exists.~~

~~(7) These operational procedures are intended to stress the importance of balancing the suction pipe densities and velocities in order to keep from taking sea turtles. The Contractor shall develop a written operational plan to minimize turtle takes and submit it as part of the Environmental Protection Plan.~~

~~(8) The Contractor must comply with all requirements of this specification and the Contractor's accepted Environmental Protection Plan. The contents of this specification and the Contractor's Environmental Protection Plan shall be shared with all applicable crew members of the hopper dredge.~~

~~3.1.5.7 Recording Charts for Hopper Dredge(s)~~

~~All hopper dredge(s) shall be equipped with recording devices for each drag head that capture real time, drag head elevation, slurry density, and at least two of the following: Pump(s) slurry velocity measured at the output side, pump(s) vacuum, and/or pump(s) RPM. The Contractor shall record continuous real time positioning of the dredge, by plot or electronic means, during the entire dredging cycle including dredging area and disposal area. Dredge location accuracy shall meet the requirements of the latest version of EM 1110-1-1003. A copy of the EM can be downloaded from the following website:~~

~~<http://www.usace.army.mil/inet/usace-docs/eng-manuals/em.htm>. The recording system shall be capable of capturing data at variable intervals but with a frequency of not less than every 60 seconds. All data shall be time correlated to a 24 hour clock and the recording system shall include a method of daily evaluation of the data collected. Data shall be furnished to the Contracting Officer for each day's operation on a daily basis. A written plan of the method the Contractor intends to use in order to satisfy these requirements shall be included with the Contractor's Quality Control Plan.~~

~~3.1.5.8 Sea Turtle Risk Assessment (For Hopper Dredges Only)~~

~~a. Sea Turtle Trawling and Relocation~~

~~A sea turtle risk assessment survey shall be conducted following the take of three sea turtles and continue until directed by the Contracting Officer. The results of each trawl shall be recorded on Sea Turtle Trawling Report appended to the end of this Section. A final report shall be prepared and submitted to the Contracting Officer prior to re-commencement of dredging summarizing the results of the survey (with all forms and including total trawling times, number of trawls and number of captures). Any turtles captured during the survey shall be measured and tagged in accordance with standard biological sampling procedures with sampling data recorded on Sea Turtle Tagging and Relocation Report appended to the end of this Section. Any captured sea turtles shall be relocated south of the work area at least 3 miles from the location recorded on the Sea Turtle Tagging and Relocation Report form.~~

~~b. Sea Turtle Trawling Procedures~~

~~An approved sea turtle trawling and relocation supervisor shall provide researchers and nets to capture and relocate sea turtles, shall conduct Sea Turtle Risk Assessment Survey, and shall conduct any initiated sea turtle trawling. Turtles shall be captured with trawl nets to determine their relative abundance in the channel during dredging. Methods and equipment shall be standardized including data sheets, nets, trawling direction to tide, length of station, length of tow, and number of tows per station. Data on each tow shall be recorded using Sea Turtle Trawling Report appended to end of this Section. The trawler shall be equipped with two 60 foot nets constructed from 8 inch mesh (stretch) fitted with mud rollers and flats as specified in Turtle Trawl Nets Specifications appended to the end of this Section. Paired net tows shall be made for 10 to 12 hours per day or night. Trawling shall be conducted with the tidal flow using repetitive 15-30 minute (total time) tows in the channel. Tows shall be made in the center, green and red sides of the channel such that the total width of the channel bottom is sampled. Positions at the beginning and end of each tow shall be determined from GPS Positioning equipment. Tow speed shall be recorded at the approximate midpoint of each tow. Refer to EM~~

~~1110-1-1003, paragraph 5.3 and Table 5-1, for acceptable GPS criteria.~~

~~e. Water Quality and Physical Measurements~~

~~Water temperature measurements shall be taken at the water surface each day using a laboratory thermometer. Weather conditions shall be recorded from visual observations and instruments on the trawler. Weather conditions, air temperature, wind velocity and direction, sea state wave height, and precipitation shall be recorded on the Sea Turtle Trawling Report appended to the end of this Section. High and low tides shall be recorded.~~

~~d. Initiation of Trawling~~

~~Initiate trawling if three turtles are taken. The Contractor must initiate trawling and relocation activity in the dredging area within 8 hours of the occurrence of the take. Trawling shall continue until suspended by the Contracting Officer.~~

~~e. Approved Trawling Supervisor~~

~~Trawling shall be conducted under the supervision of a biologist approved by the NMFS. A letter of approval from NMFS shall be provided to the Contracting Officer prior to commencement of trawling.~~

~~f. Turtle Excluder Devices~~

~~Approval for trawling for sea turtles without Turtle Excluder Devices (TEDs) must be obtained from NMFS. Approval for capture and relocation of sea turtles must be obtained from the Florida Fish and Wildlife Conservation Commission (FF&WCC). Approvals must be submitted to the Contracting Officer prior to trawling.~~

~~g. Report Submission~~

~~Following completion of the project, a copy of the Contractor's log regarding sea turtles shall be forwarded to the Chief, Environmental Branch and the Area Engineer, South Florida Area Office, within 10 working days.~~

### 3.1.6 Seagrass Protection Measures

a. The Contractor shall instruct all personnel associated with the project of the presence of seagrasses, especially the Federally-listed threatened Johnson's Seagrass (*Halophlia johnsonii*), and the need to avoid contact with seagrasses.

b. All construction personnel shall be advised that there are civil and criminal penalties for harming or destroying seagrasses, especially Johnson's Seagrass which is protected under the Endangered Species Act of 1973, as amended. The Contractor may be held responsible for any seagrasses harmed or destroyed due to construction activities.

c. The Contractor shall not anchor, place pipeline, or stage equipment in a manner that will cause any damage to seagrasses or hardbottoms. Anchoring, placing pipeline, or staging equipment shall avoid these sensitive areas. If such activities cannot be done without affecting these sensitive areas, the activities shall cease and the Contracting Officer and the Chief, Environmental Branch (904-232-1010) shall be immediately notified (no later than the morning following the next working day if the incident occurs after normal working hours). Any

actual or potential incident involving damage to, or disturbance of, seagrasses or hardbottoms shall be reported.

### 3.1.7 Protection of Air Resources

The Contractor shall keep construction activities under surveillance, management, and control to minimize pollution of air resources. All activities, equipment, processes and work operated or performed by the Contractor in accomplishing the specified construction shall be in strict accordance with the applicable air pollution standards of the State of Florida (Florida Statute, Chapter 403 and others and Chapters 200 series of the FAC) and all Federal emission and performance laws and standards, including the U.S. Environmental Protection Agency's Ambient Air Quality Standards. Information regarding Florida Statutes can be obtained from the following websites:

<http://www.dep.state.fl.us/ogc/documents/statutes/text/403.doc>;  
<http://www.dep.state.fl.us/ogc/documents/rules/aiur/62-213.doc>; and,  
<http://www.dep.state.fl.us/ogc/documents/rules/mainrule.htm>.

#### 3.1.7.1 Particulates

Particulates, such as dust, shall be controlled at all times, including weekends, holidays, and hours when work is not in progress. The Contractor shall maintain excavations, stockpiles, haul roads, permanent and temporary access roads, plant sites, spoil areas, borrow areas, and work areas within or outside the project boundaries free from particulates that would cause air pollution standards to be exceeded or that would cause a hazard or nuisance. The Contractor shall have the necessary equipment and approved methods to control particulates as the work proceeds and before a problem develops.

#### 3.1.7.2 Burning

All burning shall be subject to State and local requirements, including requirements for burn permits and bans during certain conditions such as droughts.

#### 3.1.7.3 Odors

Odors shall be controlled at all times for all construction activities.

### 3.1.8 Protection of Sound Intrusions

The Contractor shall keep construction activities under surveillance and control to minimize damage to the environment by noise.

## 3.2 POSTCONSTRUCTION CLEANUP

The Contractor shall clean up any area(s) used for construction.

## 3.3 PRESERVATION AND RESTORATION OF LANDSCAPE AND MARINE VEGETATION DAMAGES

The Contractor shall restore all landscape features and marine vegetation damaged or destroyed during construction operations outside the limits of the approved work areas. Such restoration shall be a part of the Environmental Protection Plan as defined in subparagraph "Environmental Protection Plan" of paragraph SUBMITTALS above. This work shall be accomplished at the Contractor's expense.

3.4 MAINTENANCE OF POLLUTION CONTROL FACILITIES

The Contractor shall maintain all constructed facilities and pollution control facilities and devices for the duration of the contract or for that length of time construction activities create the particular pollutant.

3.5 SAMPLE - MANATEE CAUTION SIGNS

See APPENDIX 01355-A at the end of this Section (2 pages).

3.6 SAMPLE - DAILY MANATEE REPORTING LOG

See APPENDIX 01355-B at the end of this Section (1 page).

~~3.7 SAMPLE - HOPPER DREDGE REPORTING LOG - TURTLE OBSERVER NOTES~~

~~See APPENDIX 01355-C at the end of this Section (1 page).~~

~~3.8 SAMPLE - INCIDENT REPORT OF SEA TURTLE MORTALITY AND DREDGING ACTIVITIES~~

~~See APPENDIX 01355-D at the end of this Section (1 page).~~

~~3.9 CONCEPTUAL TURTLE DEFLECTOR DESIGN DETAILS~~

~~See APPENDIX 01355-E at the end of this Section (2 pages).~~

~~3.10 SEA TURTLE TRAWLING REPORT~~

~~See APPENDIX 01355-F at the end of this Section (1 page).~~

~~3.11 SEA TURTLE TAGGING AND RELOCATION REPORT~~

~~See APPENDIX 01355-G at the end of this Section (1 page).~~

~~3.12 TURTLE TRAWEL NETS SPECIFICATIONS~~

~~See APPENDIX 01355-H at the end of this Section (1 page).~~

3.7 SAMPLE - WHALE SIGHTING LOG

See APPENDIX 01355-CJ at the end of this Section (1 page).

3.8 PROJECT ENVIRONMENTAL SUMMARY SHEET

See APPENDIX 01355-DK at the end of this Section (2 pages).

3.9 CERTIFICATION LETTER ACKNOWLEDGING ALL PERMITS ARE ON FILE

See APPENDIX 01355-EL at the end of this Section (1 page).

-- End of Section --

\*

WHALE SIGHTING LOG

PROJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

SPECIES OF WHALE SIGHTED: \_\_\_\_\_

TIME OF SIGHTING: \_\_\_\_\_

WEATHER/SEA STATE: \_\_\_\_\_

LOCATION OF WHALE RELATIVE TO PROJECT AND DREDGE: \_\_\_\_\_

DISTINGUISHING CHARACTERISTICS: \_\_\_\_\_

ACTIVITY OF WHALE: \_\_\_\_\_

DIRECTION AND SPEED OF WHALE MOVEMENT: \_\_\_\_\_

DIRECTION AND SPEED OF DREDGE DURING SIGHTING: \_\_\_\_\_

REACTION OF WHALE TO DREDGE (IF ANY): \_\_\_\_\_

PRESENCE OF OTHER MARINE ANIMALS: \_\_\_\_\_

NAME OF OBSERVER: \_\_\_\_\_

TITLE: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

OTHER INFORMATION/OBSERVATIONS: \_\_\_\_\_

\*

\*

### Project Environmental Summary Sheet

Note: This sheet shall be submitted within 30 days following completion of the project. In addition, for construction activities whose anticipated duration is more than one calendar year, a sheet shall be completed each May 31<sup>st</sup> (plus/minus 14 days). The Contractor will prepare this sheet so as to include all Subcontractor information also. Original data will be forwarded via the ACOR to the Chief of the Environmental Branch, Planning Division, P.O. Box 4970, Jacksonville, FL 32232-0019. Use additional sheets as necessary.

Today's date: \_\_\_\_\_

Page: \_\_\_\_ of \_\_\_\_

Project Name: \_\_\_\_\_

Project Notice to Proceed Date: \_\_\_\_\_

Project Solicitation Number: \_\_\_\_\_

Project Contract Number: \_\_\_\_\_

1. Project activities that have occurred:

Permit Condition/ Activity	% Completion	Date of Anticipated Completion	Date of Actual Completion
-------------------------------	--------------	-----------------------------------	------------------------------

2. Describe project survey benchmark if a structure is involved:

3. Check whether the following environmental incidents occurred:

Yes\*:

No:

- a. Spill of petroleum or hazardous substance
- b. Surface water or ground water contamination event
- c. Air pollution event
- d. Monitoring sample outside limit
- e. Required sampling or monitoring not conducted
- f. Event which threatened or actually harmed:
  - i. Vegetation, habitat, or wetland
  - ii. Human, fish, bird, or other wildlife species
  - iii. Protected soil or water bottom
  - iv. Historic, archeological, or cultural resources
- g. Regulatory violation, regulatory warning, permit violation, newsworthy event, or other (describe):

4. For each asterisked (\*) 'Yes' item:

- a. Describe incident and how discovered:
- b. Describe how, when, and if incident reported (initially and subsequently):
- c. Describe act which resulted in incident:
- d. Describe any failures of containment systems, contingency plans, or emergency procedures:
- e. Describe severity or extent of incident and landowner(s) affected:
- f. Describe how situation corrected and verified:

\*

\*

g. List and describe costs involved with incident correction (\$\_\_\_\_\_):

h. Additional sheets, sketches, pertinent photographs with annotations and dates, daily reports, or other items attached? Yes\_\_\_ No\_\_\_

Contractor Signature: \_\_\_\_\_

Typed or Handwritten Name:

Position:

Company Name, Address, and Telephone Number:

\*

**CERTIFICATION LETTER ACKNOWLEDGING ALL PERMITS ARE ON FILE**

I \_\_\_\_\_ have a copy of all permits for

\_\_\_\_\_ project and have read and

understand the conditions in the permit.

\_\_\_\_\_  
Signature of Contractor

SECTION TABLE OF CONTENTS

DIVISION 01 - GENERAL REQUIREMENTS

SECTION 01411

TURBIDITY AND DISPOSAL MONITORING

PART 1 GENERAL

- 1.1 SCOPE
- 1.2 SUBMITTALS

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION

- 3.1 MONITORING REQUIREMENTS
  - 3.1.1 General
    - 3.1.1.1 Turbidity Monitoring Equipment
  - 3.1.2 Dredging and Disposal Locations
    - 3.1.2.1 Station Descriptions
    - 3.1.2.2 Turbidity
- 3.2 TURBIDITY TESTS
  - 3.2.1 Testing
  - 3.2.2 Reporting
    - 3.2.2.1 Report Contents
    - 3.2.2.2 Monitoring Reports
    - 3.2.2.3 Notification
- 3.3 WORK DELAY
- 3.4 SAMPLE - TURBIDITY MONITORING TEST REPORT
- 3.5 TURBIDITY MONITORING WEEKLY REPORT

-- End of Section Table of Contents --

SECTION 01411

TURBIDITY AND DISPOSAL MONITORING

PART 1 GENERAL

1.1 SCOPE

The work covered by this section consists of furnishing all labor, materials, and equipment, and performing all work required to obtain, analyze, and report the results of turbidity and disposal monitoring.

1.2 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals having an "FIO" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. The following shall be submitted in accordance with Section 01330 SUBMITTAL PROCEDURES:

SD-03 Product Data

Calibration Standard; FIO.

The Contractor shall furnish to the Contracting Officer a copy of the operating instructions and standards used in calibrating equipment used in collecting samples for turbidity.

SD-06 Test Reports

Turbidity Monitoring; FIO.

All required turbidity test reports shall be submitted (preferably by electronic mail) to the Contracting Officer, the Environmental Branch (CESAJ-PD-E), and the Florida Department of Environmental Protection (FDEP) within 24 hours after completion of each test.

~~Disposal Reports; FIO.~~

~~All Ocean Dredged Material Disposal Site (ODMDS) reports shall be submitted to the Contracting Officer weekly. Pre and post ODMDS bathymetric surveys shall be submitted to the Contracting Officer within three months prior to start of disposal operations and 30 days following completion of disposal operations.~~

PART 2 PRODUCTS (NOT APPLICABLE)

PART 3 EXECUTION

3.1 MONITORING REQUIREMENTS

3.1.1 General

Nearshore or inland water samples shall be obtained and analyzed for turbidity. Sampling shall be conducted in accordance with techniques

described in the latest edition of "Standard Methods" published by the American Public Health Association (APHA), American Waterworks Association (AWWA), and Water Pollution Control Federation (WPCF), and other current techniques recognized by the scientific community and approved by the Jacksonville District, Corps of Engineers. Samples obtained for turbidity analysis shall be analyzed within 30 minutes of collection. Samples shall be taken with a sampler obtaining samples uncontaminated by water from any other depth.

#### 3.1.1.1 Turbidity Monitoring Equipment

Monitoring required for turbidity shall be measured in Nephelometric Turbidity Units (NTU) using a standard Nephelometer. Global Positioning System (GPS) is also required to record sampling stations.

#### 3.1.2 Dredging and Disposal Locations

Routine monitoring shall occur at the following locations:

##### 3.1.2.1 Station Descriptions

###### a. Station 1 (Compliance Turbidity)

No more than 150 meters downcurrent of the dredge or point of discharge and in the direction of any visible plume.

###### b. Station 2 (Background Turbidity)

At least 300 meters upcurrent from the dredge or point of discharge and outside of any turbidity generated by the project.

###### ~~e. Station 3 (Compliance ODMDS)~~

~~For all ODMDS disposal activities, the Contractor shall be required to prepare and operate under an approved electronic verification plan for all disposal operations. As part of this plan, the Contractor shall provide an automated system that will continuously track (1 to 5 minute intervals) the horizontal location and draft condition (vertical) of the disposal vessel from the point of dredging to the disposal area, and return to the point of dredging. Required digital data are as follows:~~

- ~~(1) Date~~
- ~~(2) Time~~
- ~~(3) Vessel Name~~
- ~~(4) Dump Number~~
- ~~(5) Map Number on which dump is plotted (if appropriate)~~
- ~~(6) Beginning and ending coordinates of the dredged area for each load (source of dredged material)~~
- ~~(7) Actual location (in degrees and minutes of latitude and longitude) at points of initiation and completion of disposal event~~
- ~~(8) Brief description of material disposed~~
- ~~(9) Volume of material disposed~~
- ~~(10) Disposal technique used.~~

##### 3.1.2.2 Turbidity

Samples to be analyzed for turbidity shall be taken twice daily (one between the hours of 12 midnight and 12 noon and the other between 12 noon and 12 midnight) at least 4 hours apart at surface, mid-depth and 1 foot

above bottom at the following locations. Additional sampling shall be performed when the Contracting Officer determines that there may be non-compliance with water quality standards.

- a. Dredging Site Compliance at Station 1
- b. Dredging Site Background at Station 2

### 3.2 TURBIDITY TESTS

#### 3.2.1 Testing

The Contractor shall provide the Government with a certification, attesting to the accuracy of his testing equipment and procedure. The Contractor shall also provide the Contracting Officer with a duplicate of the standard used to calibrate his testing instrument as well as a complete set of operating instructions for the turbidity testing equipment. The Contractor and the Contracting Officer will use this standard throughout the project to maintain the calibration of the equipment. Whenever there is doubt as to the adequacy of the testing or validity of the results, the Contracting Officer may direct that additional tests be performed at no additional cost to the Government.

#### 3.2.2 Reporting

The monitoring data shall be recorded on summary forms that contain the pertinent information in the following paragraphs. Example forms are appended to the end of this Section. Other data shall be submitted in the form supplied by the laboratory chosen to do the analysis. All data shall be forwarded (preferably electronically) to the Contracting Officer, Environmental Branch (CESAJ-PD-E), and FDEP within 7 days of collection. Electronic mail addresses of the Corps and FDEP personnel to receive these reports are provided below. Reports shall be provided in a common format such as Excel Spreadsheet (.xls) files, Word (.doc) files, and Web Graphics (Joint Photographic Group or .jpg) files.

NAME	ORGANIZATION	E-MAIL ADDRESS
John G. Cooper	USACE COR	john.g.cooper@usace.army.mil
Matt Miller	USACE COR	matthew.j.miller@usace.army.mil
Martin Seeling	FDEP	Martin.Seeling@dep.state.us.fl

#### 3.2.2.1 Report Contents

- a. Permit application number.
- b. Dates of sampling and analysis.
- c. A statement describing the methods used in collection, handling, storage, and quality control methods used in the analysis of the samples.
- d. A map indicating the sampling location and plume configuration, if any (example map appended to the end of this Section).
- e. A statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection, and accuracy of the data.
- f. Results of the analyses.
- g. A description of any factors influencing the dredging or disposal operation or the sampling program. Reports shall be furnished daily even when no sampling is conducted. When sampling is not conducted, a brief statement shall be given in the report explaining the reason for

not conducting the sampling, such as "dredge not working due to mechanical problems" or "no sampling taken due to high seas".

h. State plane coordinates (x and y) shall be provided for all sampling stations along with the coordinates of the dredge and discharge pipe and the distance between the sampling station and dredge/discharge pipe for each sampling event.

### 3.2.2.2 Monitoring Reports

Monitoring reports shall also include the following information for each day that samples are taken:

- a. Time of day and date samples were taken.
- b. Depth of water body.
- c. Depth of sample.
- d. Antecedent weather conditions.
- e. Tidal stage and direction of flow.
- f. Dredge or disposal location (station location and map).
- g. Water sample location.

### 3.2.2.3 Notification

If turbidity exceeds background levels by more than 29 NTU, the Contractor shall immediately notify the Chief, Environmental Branch at 904-232-1010 and the Contracting Officer, or on the morning of the following work day if it occurs after normal work hours. In addition, all dredging or disposal activity shall cease immediately and all measures to reduce turbidity shall be taken. Dredging or disposal shall not resume until corrective measures have been taken and turbidity has returned to acceptable levels as determined by proper testing described in subparagraph "Dredging and Disposal Locations" above.

### ~~3.3 ODMDS REPORTING AND NOTIFICATION~~

~~Data required for ODMDS monitoring has been described earlier in this Section. Disposal reports containing this data shall be submitted to the Contracting Officer on a weekly basis.~~

~~The Contractor shall notify the Chief, Environmental Branch at 904-232-1010 and the Contracting Officer within 24 hours if disposal is suspected to have occurred outside the ODMDS. If material is determined to have been disposed of outside the ODMDS, the Contractor may be held responsible for determination of damage to resources outside the ODMDS, recovery of misplaced material, and restoration of resources outside the ODMDS.~~

~~The Contractor shall also provide pre and post bathymetric surveys of the ODMDS site in both hard and electronic format. Within three months of dredging and disposal, a survey shall be performed. The post disposal survey shall be conducted within 30 days after completion of disposal. All surveys shall be sufficient to encompass the ODMDS and a 0.25 nautical mile (nm) wide area around the ODMDS. The surveys shall be taken along lines spaced at 500 foot intervals or less. Accuracy of the surveys shall be within 0.5 feet. Horizontal location of the survey lines and depth sounding points shall be determined by an automated positioning system utilizing either a microwave line of site system or differential global positioning system. The vertical datum shall be mean lower low water (MLLW) and the horizontal datum Florida State Plane or Geographic (NAD 1983 or NAD 1927).~~

3.3 WORK DELAY

Delays in work due to the fault or negligence of the Contractor or the Contractor's failure to comply with this specification shall not be compensable. Any adjustments to the contract performance period or price that are required as a result of compliance with this section shall be made in accordance with the provisions of the Clause SUSPENSION OF WORK of Section 00700 CONTRACT CLAUSES.

3.4 SAMPLE - TURBIDITY MONITORING TEST REPORT

See APPENDIX 01411-A at the end of this Section (with example location map appended) (3 pages).

3.5 TURBIDITY MONITORING WEEKLY REPORT

See APPENDIX 01411-B at the end of this Section (1 page).

-- End of Section --

SECTION TABLE OF CONTENTS

DIVISION 02 - SITE WORK

SECTION 02325

DREDGING

PART 1 GENERAL

- 1.1 SCOPE
- 1.2 REFERENCES
- 1.3 RELATED WORK SPECIFIED ELSEWHERE
  - 1.3.1 Blasting
- 1.4 SUBMITTALS
- 1.5 DREDGING RESTRICTIONS
  - 1.5.1 Order of Work
  - 1.5.2 Hopper Restriction
  - 1.5.3 Transportation of Material
- 1.6 ORDER OF WORK
- 1.7 PUMPING OF BILGES
- 1.8 HISTORICAL PERIOD SHIPWRECK SITES
- 1.9 UTILITY CROSSINGS
  - 1.9.1 General
- 1.10 PERMITS
- 1.11 FINAL CLEANUP
- 1.12 WORK VIOLATIONS

PART 2 PRODUCTS

- 2.1 CHARACTER OF MATERIALS

PART 3 EXECUTION

- 3.1 NOTIFICATION OF COAST GUARD
  - 3.1.1 Navigation Aids
  - 3.1.2 Dredging Aids
- 3.2 WORK AREA
  - 3.2.1 Access
  - 3.2.2 Protection of Existing Waterways
  - 3.2.3 Adjacent Property and Structures
  - 3.2.4 Subaqueous Cable Crossings
- 3.3 DISPOSAL OF EXCAVATED MATERIAL
  - 3.3.1 General - Ocean Dredged Material Disposal Site (ODMDS)
  - 3.3.2 Disposal Area Within Channel
    - 3.3.2.1 Disposal of Sandy Dredged Materials From Sta. 107+00 to Sta. 109+00, Cut 1
  - 3.3.3 Logs
  - 3.3.4 Barges
  - 3.3.5 Offshore Disposal
  - 3.3.6 Electronic Tracking System (ETS) for Ocean Disposal Vessels
    - 3.3.6.1 ETS Standards
    - 3.3.6.2 ETS Data Requirements and Submissions
  - 3.3.7 Placing of Dredged Material

- 3.3.8 Dredge Pipelines
  - 3.3.8.1 Floating Pipeline
- 3.3.9 Booster Pumps
- 3.3.10 Misplaced Materials
- 3.4 REQUIRED DEPTH, ALLOWABLE OVERDEPTH, AND SIDE SLOPES
  - 3.4.1 Required Depth
  - 3.4.2 Allowable Overdepth
  - 3.4.3 Side Slopes
  - 3.4.4 Excessive Dredging
- 3.5 SURVEYS
  - 3.5.1 General
  - 3.5.2 Contractor Representative
  - 3.5.3 Survey Certification
- 3.6 INSPECTION
  - 3.6.1 Quality Assurance Representative (QAR)
  - 3.6.2 Failure to Comply
- 3.7 FINAL EXAMINATION AND ACCEPTANCE
  - 3.7.1 Final Examination of Work
  - 3.7.2 Final Acceptance
- 3.8 SHOALING
- 3.9 NOISE CONTROL
- 3.10 DAILY REPORT OF OPERATIONS
- 3.11 CERTIFICATION STATEMENT
- 3.12 DECLARATION OF INSPECTION FOR REFUELING
- 3.13 SAMPLE - TRACK AND DRAFT PLOT DIAGRAM
- 3.14 SAMPLE - SCATTER PLOT DIAGRAM WITH TABLE

-- End of Section Table of Contents --

SECTION 02325

DREDGING

PART 1 GENERAL

1.1 SCOPE

The work covered by this section consists of furnishing all labor, materials, and equipment, and performing all excavation and disposal of all material as specified herein or indicated on the drawings. This scope also includes all necessary measures for protection of the environment. Environmental protection requirements under this contract are as important to overall completion of the work as other technical aspects. Failure to meet the requirements of these specifications for environmental protection may result in work stoppages or termination for default. No part of the time lost due to any such work stoppages shall be made the subject of claims for extensions of time or for excess costs or damages by the Contractor. If the Contractor fails or refuses to promptly repair any damage caused by violation of the provisions of these specifications, the Contracting Officer may have the necessary work performed and charge the cost thereof to the Contractor.

1.2 REFERENCES

The publications listed below form a part of this specification to the extent referenced. The publications are referred to in the text by basic designation only.

ENGINEERING MANUALS (EM)

EM 1110-1-1000	(1993) Photogrammetric Mapping
EM 1110-1-1002	(1990) Survey Markers and Monumentation
EM 1110-1-1003	(1996) NAVSTAR Global Positioning System Surveying
EM 1110-1-1004	(1994) Deformation Monitoring and Control Surveying
EM 1110-1-2909	(1998; Chg 2) Geospatial Data and Systems
EM 1110-2-1003	(1994) Hydrographic Surveying

FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS (FBPSM)

FBPSM	Minimum Technical Standards, Chapters 177, 472, 61G17
-------	---

TRI-SERVICE STANDARDS (TSS)

TSS	(1999) A/E/C CADD Standards
-----	-----------------------------

1.3 RELATED WORK SPECIFIED ELSEWHERE

### 1.3.1 Blasting

Blasting is prohibited under this contract.

### 1.4 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals having an "FIO" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. The following shall be submitted in accordance with Section 01330 SUBMITTAL PROCEDURES:

#### SD-01 Preconstruction Submittals

Notice of Intent to Dredge; FIO.

Prior to commencement of work on this contract, the Contractor shall notify the Commander, Seventh Coast Guard District of his intended operations to dredge and request that it be published in the Local Notice to Mariners. This notification must be given in sufficient time so that it appears in the Notice to Mariners at least two weeks prior to the commencement of this dredging operation. A copy of the notification shall be provided to the COR.

Relocation of Navigation Aids; FIO.

The Contractor shall not remove, change the location of, obstruct, willfully damage, make fast to, or interfere with any aid to navigation. The Contractor shall notify the Commander, Seventh Coast Guard District, Miami, Florida, in writing, with a copy to the Contracting Officer, 30 days in advance of the time he plans to dredge adjacent to any aids which require relocation to facilitate dredging. The Contractor shall contact the U.S. Coast Guard for information concerning the position to which the aids will be relocated. A copy of the notification shall be provided to the COR.

#### SD-07 Certificates

Electronic Tracking System Data; FIO.

The Contractor shall furnish required discs, CD-ROM, and charts to the Contracting Officer.

Equipment and Performance Data; FIO.

The Contractor shall furnish proof of electronic positioning equipment calibration to the Contracting Officer.

Notification of Discovery of Historical Period Shipwreck Sites; FIO.

The Contractor shall immediately notify the Contracting Officer if any shipwreck, artifact, or other objects of antiquity that have scientific or historical value, or are of interest to the public, are discovered, located, and/or recovered.

Notice of Need for Dredging Survey; FIO.

The Contractor shall give 3 weeks advance notice, in writing, to the

Contracting Officer of the need for a pre-dredging survey or after-dredging survey for final acceptance for each acceptance section.

Daily/Monthly Report of Operations; FIO.

The Contractor shall prepare and submit two (2) copies of the Daily Report of Operations, using either ENG Form No. 27A or ENG Form No. 4267, for each dredge and/or unloader working. This report shall be submitted on a daily basis and not in groups (groups = multi-days reports packaged together at one time) except as noted in subparagraph a. below. A copy of these forms are appended to the end of this Section. In addition to the daily report, the Contractor shall prepare a Monthly Report of Operations for each month or partial month's work on either ENG Form No. 27A or ENG Form No. 4267. The monthly report shall be submitted on or before the 7th of each month, consolidating the previous month's work. Upon completion of the job, the Contractor shall submit a consolidated job report, combining the monthly reports. The Contractor shall distribute one copy of each report to the District Engineer; ATTN: CESAJ-EN-C; U.S. Army Engineer District, Jacksonville, P.O. Box 4970; Jacksonville, Florida 32232-0019. Reports shall be submitted on a monthly basis with daily reports accompanying the monthly report and job report.

Additionally, one copy of these shall be maintained by the Contractor on the dredge(s) for the Contracting Officer's inspection purpose. Further instructions on the preparation of the reports will be furnished at the Preconstruction Conference.

Notice of Misplaced Material; FIO.

The Contractor shall notify the U.S. Coast Guard Marine Safety Office of any misplaced material as stated in the Clause OBSTRUCTION OF NAVIGABLE WATERWAYS of Section 00700 CONTRACT CLAUSES.

## 1.5 DREDGING RESTRICTIONS

### 1.5.1 Order of Work

There is no specific order of work for this project. The dredging performed by all dredges shall be continuous within reaches approved by the Contracting Officer.

### 1.5.2 Hopper Restriction

~~The use of hopper dredges is prohibited in this contract. within Ft. Pierce Harbor requires sea turtle protection measures as outlined in Section 01355 ENVIRONMENTAL PROTECTION.~~

### 1.5.3 Transportation of Material

Water and dredge material shall not be permitted to overflow or spill out of barges ~~or hopper dredges~~ during dredging within the turning basin and during transport to the disposal site.

## 1.6 ORDER OF WORK

There is no order of work specified relative to performance of the dredging.

## 1.7 PUMPING OF BILGES

Contractors are warned that pumping oil or bilge water containing oil into navigable waters, or into areas which would permit the oil to flow into such waters, is prohibited by Section 13 of the River and Harbor Act of 1899, approved 3 March 1899 (30 Stat. 1152; 33 U.S.C. 407). Violation of this prohibition is subject to the penalties under the referenced Acts.

#### 1.8 HISTORICAL PERIOD SHIPWRECK SITES

If any shipwreck, artifact, or other objects of antiquity that have scientific or historical value, or are of interest to the public, are discovered, located, and/or recovered, the Contractor acknowledges that:

- a. The site(s), articles, or other materials are the property of the State of Florida, with title vested in the Department of State, Division of Historical Resource; and that,
- b. He will immediately notify the Contracting Officer.

#### 1.9 UTILITY CROSSINGS

##### 1.9.1 General

It is the Contractor's responsibility to investigate the location of all utility crossings. The Contractor shall take precautions against damages which might result from his operations in the vicinity of the utility crossings. If any damage occurs as a result of his operations, the Contractor will be required to suspend dredging until the damage is repaired and approved by the Contracting Officer. Costs of such repairs and downtime of the dredge and attendant plant shall be at the Contractor's expense.

#### 1.10 PERMITS

The Contractor's attention is directed to the Clause PERMITS AND RESPONSIBILITIES of Section 00700 CONTRACT CLAUSES and the paragraph PERMITS AND AUTHORIZATIONS of Section 01355 ENVIRONMENTAL PROTECTION.

#### 1.11 FINAL CLEANUP

Final cleanup, as stated in the paragraph COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK of Section 00700 CONTRACT CLAUSES, shall include the removal of all the Contractor's plant and equipment either for disposal or reuse. Plant and/or equipment and/or materials to be disposed of shall ONLY be disposed in a manner and at locations approved by the Contracting Officer. Unless otherwise approved by the Contracting Officer, the Contractor will not be permitted to abandon any equipment in the disposal area or other areas adjacent to the worksite.

- a. Failure to promptly remove all plant, pipeline, equipment, and materials upon completion of the dredging will be considered a delay in the completion of the final cleanup and demobilization work. In such case, the Government will exercise its right as stated in Clause DEFAULT (FIXED-PRICE CONSTRUCTION) of Section 00700 CONTRACT CLAUSES to remove any plant and/or equipment and/or materials at the Contractor's expense.

#### 1.12 WORK VIOLATIONS

Work done in violation of these specifications or a verbal or written stop

order of the Contracting Officer will be considered as unsatisfactory progress for purposes of progress payments in accordance with Clause PAYMENTS UNDER FIXED-PRICE CONSTRUCTION CONTRACTS of Section 00700 CONTRACT CLAUSES.

## PART 2 PRODUCTS

### 2.1 CHARACTER OF MATERIALS

The material to be excavated is shoal material that has been deposited since the channel was last dredged. Core borings were drilled in 1991 and 1993 in the turning basin and surface samples were taken in 1996 in the channel. The material represented by the borings has been removed by previous dredging episodes and are typical of the material currently to be removed. The shoaling material in the past has been primarily shell and clean sand in the area of Cut 1, Sta. 108. The shoaling material in the turning basin has consisted primarily of silty sand. Silty sand in addition to silt and soft clay may be encountered in the northern and western reaches. The core boring logs, gradation curves and suspended sediment time curves describing the materials are appended to Section 01000 GENERAL REQUIREMENTS of these specifications. Rock fragments and pieces may be encountered, left over from the deepening project. Excavation of in-situ rock, if encountered, will not be required.

## PART 3 EXECUTION

### 3.1 NOTIFICATION OF COAST GUARD

#### 3.1.1 Navigation Aids

Navigation aids located within or near the areas required to be dredged will be removed, if necessary, by the U.S. Coast Guard in advance of dredging operations. The Contractor shall not remove, change the location of, obstruct, willfully damage, make fast to, or interfere with any aid of navigation.

#### 3.1.2 Dredging Aids

The Contractor shall obtain approval from the U.S. Coast Guard for all buoys, dredging aid markers to be placed in the water, and dredging aid markers affixed with a light prior to the installation. Dredging aid markers and lights shall not be colored or placed in a manner that they will obstruct or be confused with navigation aids.

### 3.2 WORK AREA

The Contractor will be permitted to exclude the public from the work areas in the immediate vicinity of his dredging, transporting, and disposal operations. Enforcement shall be the Contractor's responsibility at no additional cost to the Government. The enforcement shall be coordinated with local enforcement agencies and will be subject to approval of the Contracting Officer. Additionally, the safety person shall be present at all times during discharge operations and will maintain radio communication between the dredge and the disposal operation.

#### 3.2.1 Access

The Contractor shall be responsible for providing and maintaining access necessary for his equipment and plant to and from the work site, mooring

area, and disposal area. The Contractor shall ascertain the environmental conditions which can affect the access such as climate, winds, currents, waves, depths, shoaling, and scouring tendencies.

### 3.2.2 Protection of Existing Waterways

The Contractor shall conduct his operations in such a manner that material or other debris are not pushed outside of dredging limits or otherwise deposited in existing side channels, basins, docking areas, or other areas being utilized by vessels. The Contractor will be required to change his method of operations as may be required to comply with the above requirements. Should any bottom material or other debris be pushed into areas described above, as a result of the Contractor's operations, the same must be promptly removed by and at the expense of the Contractor to the satisfaction of the Contracting Officer.

### 3.2.3 Adjacent Property and Structures

No dredging will be permitted within 25 feet of any structure. Any damage to private or public property or structures resulting from the disposal or dredging operations shall be repaired promptly by the Contractor at his expense. Any damage to structures as a result of Contractor's negligence will result in suspension of dredging and require prompt repair at the Contractor's expense as a prerequisite to the resumption of dredging.

### 3.2.4 Subaqueous Cable Crossings

The Contractor shall be responsible for verifying the locations and depths of all utility crossings and take precautions against damages which might result from his operations, especially the sinking of dredge spuds and/or anchors into the channel bottom, in the vicinity of utility crossings. If any damage occurs as a result of his operations, the Contractor will be required to suspend dredging until the damage is repaired and approved by the Contracting Officer. Costs of such repairs and downtime of the dredge and attendant plant shall be at the Contractor's expense.

## 3.3 DISPOSAL OF EXCAVATED MATERIAL

### 3.3.1 General - Ocean Dredged Material Disposal Site (ODMDS)

The material excavated, except that material between Sta. ~~107106~~+00 and Sta. ~~109110~~+00 of Cut 1, shall be transported to and deposited in the ODMDS offshore disposal area designated as "Ft. Pierce Ocean Disposal Area" as shown on the drawings. The material shall be dumped at the center of the "Fine Grained" portion of the ODMDS. The plane coordinates are based on Transverse Mercator Projection for Florida, East Zone. The average distance to which the material will have to be transported to the ocean disposal area will be approximately ~~8.38-8~~ nautical~~statute~~ miles and the maximum distance will be approximately ~~8.88-3~~ nautical~~statute~~ miles. Dredged material shall not be placed higher than elevation -30 feet MLLW in "Ft. Pierce Ocean Disposal Area".

### 3.3.2 Disposal Area Within Channel

#### 3.3.2.1 Disposal of Sandy Dredged Materials From Sta. ~~107106~~+00 to Sta. ~~109110~~+00, Cut 1

The dredge material taken from Sta. ~~107106~~+00 to Sta. ~~109110~~+00 is beach quality sand and cannot be taken to the ocean disposal area. This material

shall be dredged and redeposited in the channel area between Sta. 106+00~~50~~ and 107+00~~50~~ of Cut 1. The maximum volume of dredge material allowed to be deposited in the channel is 2,000 cubic yards. Permit Modification # 0190388-001-DF dated 12/14/2001 allows for the one time use of up to 2,000 cubic yards of beach quality material to be repositioned in the inlet channel as shown on Drawing No. 2/4.~~dumped into the river channel.~~ The Contractor shall verify the quantity of the shoal located at Sta. 108+00 to be less than 2,000 cubic yards during the pre-construction survey. The Contractor shall remove shoal material only above the project depth at Sta. 108+00, plus any allowable overdepth, as needed, immediately below the shoaled area. All this material shall be deposited in the channel between Sta. 106+00 and Sta. 107+00 as shown on Drawing No. 2/4.~~at Sta. 107+00 as indicated on the drawings.~~ Any material remaining above the project depth in the area of disposal shall be redistributed until full project depth is achieved.

### 3.3.3 Logs

The Contractor shall keep a log for each load placed in the "Fine Grained" material area of the Ocean Disposal Area. The log entry for each load shall include the date, the time of dump, the approximate volume of material in the load, the EPS coordinates at the dump location, and a map of the Ocean Disposal Area showing the location of the dump. At the completion of dredging in the turning basin reach of the channel, the log(s) shall be submitted to the COR for forwarding to the appropriate State agency.

### 3.3.4 Barges

Water and dredged materials shall not be permitted to overflow or spill out of barges,~~hoppers~~ or dump scows during dredging and transport to the disposal site(s). Failure to repair leaks or change the method of operation which is resulting in overflow or spillage will result in suspension of dredging operations and require prompt repair or change of operation to prevent overflow or spillage as a prerequisite to the resumption of dredging.

### 3.3.5 Offshore Disposal

a. Dredged material from the Turning Basin shall be placed in the designated "Fine Grained" material area of the ocean disposal area, as shown on Drawing No. 3/1.~~the contract drawings.~~

b. The use of bottom dump barges or bottom dump dredges and hydraulic unloading barges ~~and hydraulic unloading hopper dredges~~ to dispose of dredged material in the offshore ocean disposal area will be permitted. Water and excavated material shall not be permitted to overflow or spill out of barges,~~or dump scows, or hopper dredges~~ while in route to the disposal site. Failure to repair leaks or change the method of operation which is resulting in overflow or spillage will result in suspension of excavation operations and require prompt repair or change of operation to prevent overflow or spillage as a prerequisite to the resumption of excavation. Material shall be placed in the "Fine Grained" material area of the Ocean Disposal Area below -30 Feet MLLW level.~~offshore disposal area below the -40 MLW level, and within 1,500 feet of the center of the ODMDS.~~

### 3.3.6 Electronic Tracking System (ETS) for Ocean Disposal Vessels

The Contractor shall furnish an ETS for surveillance of the movement and disposition of dredged material during excavation and ocean disposal. This ETS shall be established, operated and maintained by the Contractor to continuously track in real-time the horizontal location and draft condition of the disposal vessel for the entire dredging cycle, including dredging area and disposal area. The ETS shall be capable of displaying and recording in real-time the disposal vessel's draft and location.

#### 3.3.6.1 ETS Standards

The Contractor shall provide automated (computer) system and components to perform in accordance with EM 1110-1-2909. A copy of the EM can be downloaded from the following website:  
<http://www.usace.army.mil/inet/usace-docs/eng-manuals/em.htm>. Horizontal location shall have an accuracy equal to or better than a standard DGPS system, equal to or better than plus/minus 10 feet (horizontal repeatability). Vertical (draft) data shall have an accuracy of plus/minus 0.5 foot. Horizontal location and vertical data shall be collected in sets and each data set shall be referenced in real-time to date and local time (to nearest minute), and shall be referenced to the same state plane coordinate system used for the survey(s) shown in the contract plans. The ETS shall be calibrated, as required, in the presence of the Contracting Officer at the work location before disposal operations have started, and at 30-day intervals while work is in progress. The Contracting Officer shall have access to the ETS in order to observe its operation. Disposal operations will not commence until the ETS to be used by the Contractor is certified by the Contracting Officer to be operational and within acceptable accuracy. It is the Contractor's responsibility to select a system that will operate properly at the work location. The complete system shall be subject to the Contracting Officer's approval.

#### 3.3.6.2 ETS Data Requirements and Submissions

a. The ETS for each disposal vessel shall be in operation for all dredging and disposal activities and shall record the full round trip for each loading and disposal cycle. (NOTE: A dredging and disposal cycle constitutes the time from commencement of dredging to complete discharge of the material.) The Contracting Officer shall be notified immediately in the event of ETS failure and all dredging operations for the vessel shall cease until the ETS is fully operational. Any delays resulting from ETS failure shall be at the Contractor's expense.

b. All data shall be collected and stored on 3 1/2-inch discs or CD-ROM(s) in ASCII format and shall be readable by MS Windows compatible software. Each dredging and disposal cycle will be a separate and distinct ASCII file, labeled by the trip number. More than one file may be stored on the disc(s) or CD-ROM(s).

c. Data shall be collected, during the dredging and disposal cycle, every 500 feet (at least) during travel to the disposal area, and every minute or every 200 feet, whichever is smaller, while approaching within 1,000 feet and within the disposal area.

d. The required digital data to be collected for each dredging and disposal cycle includes the following:

- (1) Trip Number
- (2) Data
- (3) Time

- (4) Vessel ID
- (5) Vessel Captain
- (6) State Plane X Coordinate - in accordance with subparagraph c. above
- (7) State Plane Y Coordinate - in accordance with subparagraph c. above
- (8) Vessel Draft
- (9) Type of Disposal Vessel
- (10) Exact State Plane X and Y coordinate at start of dump
- (11) Volume of Material Disposed

e. Plot Reporting (2 types):

(1) Tracking Plot - For each disposal event, data collected while the disposal vessel is in the vicinity of the disposal area shall be plotted in chart form, in 200-foot intervals, to show the track and draft of the disposal vessel approaching and traversing the disposal area. Each plot will be attached to the corresponding ASCII data table when submitted. A sample Track and Draft Plot Diagram is appended to the end of this Section.

(2) Scatter Plot - Following completion of all disposal events, a single and separate plot will be prepared to show the exact disposal locations of all dumps. Every plotted location shall coincide with the beginning of the respective dump. Each dump will be labeled with the corresponding Trip Number and shall be at a small but readable scale. To accompany the Scatter Plot, a single and separate table will be prepared of the corresponding ETS data for every dump location. The volume of material disposed for each trip will be included in this table. A sample Scatter Plot Diagram with Table is appended to the end of this Section.

(3) Summary Table - A spreadsheet which contains all of the information described in subparagraph d. above shall be prepared and shall correspond to the exact dump locations represented on the Scatter Plot Diagram. A sample Summary Table spreadsheet is appended to the end of this section.

f. All digital ETS data shall be furnished to the Contracting Officer within 24 hours of collection. The digital plot files should be in an easily readable format such as Adobe Acrobat PDF file, Microstation DGN file, JPEG, BMP, TIFF, or similar. The hard copy of the ETS data and tracking plots shall be both maintained onboard the vessel and submitted to the Contracting Officer on a weekly basis.

### 3.3.7 Placing of Dredged Material

During placement of dredged material in the disposal areas, the Contractor will be required to provide constant radio contact between the dredge and the disposal areas. This will enable the Contractor's personnel at the disposal areas to immediately notify the dredge in the event of failure. In the event of failure, the dredging operations shall be immediately suspended and require prompt repair of the disposal vessel as a prerequisite to the resumption of dredging.

### 3.3.8 Dredge Pipelines

#### 3.3.8.1 Floating Pipeline

Should the Contractor's pipeline not rest on the bottom, it will be considered a floating pipeline and shall be visible on the surface and clearly marked. In no case will the Contractor's pipeline be allowed to fluctuate between the surface and the bottom, or lie partly submerged. Lights shall be installed on the floating pipeline as required in paragraph SIGNAL LIGHTS of Section 00800 SPECIAL CONTRACT REQUIREMENTS. The lights shall be supported either by buoys or by temporary piling, provided by the Contractor and approved by the Contracting Officer. Where the pipeline does not cross a navigable channel, the flashing yellow all-around lights shall be spaced not over 200 feet apart, unless closer spacing is required by U.S. Coast Guard personnel, in which case the requirements of the U.S. Coast Guard shall govern, at no additional cost to the Government.

### 3.3.9 Booster Pumps

Any booster pumps installed by the Contractor shall be located at least 300 feet from any residential-type building or house. Booster pumps, their prime movers, and any auxiliary equipment shall be fitted or equipped with mufflers, noise control enclosures, or other engineering noise control methods, measures, and features such that steady noise emanating from this equipment does not exceed 85 decibels on the A scale at slow response, and impulsive noise does not exceed 140 decibels. Such items shall be maintained throughout the course of the work.

### 3.3.10 Misplaced Materials

Materials deposited above the maximum indicated elevation or outside of the disposal area template shown will require the degrading or removal of such materials at the Contractor's expense. In addition, the Contractor must notify the Contracting Officer and the Environmental Protection Agency within 24 hours of a misplaced dump or any other violation of the Site Monitoring and Management Plan for Ft. Pierce Harbor ODMDS. Corrective actions must be implemented by the next dump and the Contracting Officer must be informed of actions taken.

## 3.4 REQUIRED DEPTH, ALLOWABLE OVERDEPTH, AND SIDE SLOPES

### 3.4.1 Required Depth

The material actually removed from within the specific areas to be dredged to a depth of not more than the required depth shown on the drawings will be estimated and paid for in accordance with the provisions contained in the subparagraphs "Measurement" and "Payment" of Section 01270 MEASUREMENT AND PAYMENT.

### 3.4.2 Allowable Overdepth

To cover the inaccuracies of the dredging process, material actually removed from the specified areas to be dredged, to a depth below the required depth of not more than the allowable overdepth shown on the drawings, will be measured and paid for in accordance with the provisions contained in the subparagraphs "Measurement" and "Payment" of Section 01270 MEASUREMENT AND PAYMENT.

### 3.4.3 Side Slopes

Side slope dredging will be required. Side slopes may be formed by box cutting, step cutting or dredging along the side slope. Material actually removed, within the limits approved by the Contracting Officer, to provide

for final side slopes not flatter than that shown on the contract drawings, but not in excess of the amount originally lying above this limiting side slope, will be measured and paid for in accordance with the provisions contained in subparagraphs "Measurement" and "Payment" of Section 01270 MEASUREMENT and PAYMENT. Such amount will be estimated and paid for whether dredged in original position or by box cut dredging whereby a space is dredged below the allowable side slope plane on the bottom of the slope for upslope material capable of falling into the cut. End slopes and transition slopes will not be estimated or paid for under this contract. In such cases, a 0 horizontal on 1 vertical will be used with no upslope allowance provision applied outside the required prism.

#### 3.4.4 Excessive Dredging

Material taken from beyond the limits as described in subparagraphs "Allowable Overdepth" and "Side Slopes" above, will be deducted from the total amount dredged as excessive overdepth dredging, or excessive side slope dredging, for which payment will not be made. Nothing herein shall be construed to prevent payment for the removal of shoals performed in accordance with the applicable provisions of the paragraphs FINAL EXAMINATION AND ACCEPTANCE or SHOALING of this Section.

### 3.5 SURVEYS

#### 3.5.1 General

The Contracting Officer shall be notified, in writing, 3 weeks in advance of the need for pre-dredging and after-dredging surveys. Surveys will be performed in accordance with the paragraph QUANTITY SURVEYS of Section 00700 CONTRACT CLAUSES; paragraph LAYOUT OF WORK of Section 01000 GENERAL REQUIREMENTS; Section 01451 CONTRACTOR QUALITY CONTROL; EM 1110-1-1000, EM 1110-1-1002, EM 1110-1-1003, EM 1110-1-1004, EM 1110-1-2909, and EM 1110-2-1003; FBPSM; and, TSS. A copy of the EM's can be downloaded from the following website:  
<http://www.usace.army.mil/inet/usace-docs/eng-manuals/em.htm>. A copy of the TSS can be downloaded from the following website:  
<http://tsc.wes.army.mil>.

#### 3.5.2 Contractor Representative

All in-place measurement surveys and final acceptance sweep surveys will be performed with a representative of the Contractor on board the Government platform during the full execution of the survey. No in-place measurement or final acceptance sweep survey will be performed without a representative of the Contractor on board the survey vessel. The Contractor's representative shall be fully knowledgeable in offshore construction subsurface surveying procedures, techniques, equipment, and horizontal and vertical calibration methods, and state-of-the-art horizontal and vertical accuracy limitations. The Contractor's representative shall observe and review, in progress, the adequacy and accuracy of the survey for in-place payment purposes, and for the potential existence of collusion, fraud, or obvious error in the data.

#### 3.5.3 Survey Certification

a. Immediately upon completion of any survey, the Contractor's representative shall, based on his on-site review of the survey execution, determine that the survey contains no evidence of collusion, fraud, obvious error, and that subsequent horizontal and vertical

corrections are accurately annotated on the subsurface record.

b. The Contractor's authorized representative shall bring aboard the survey vessel a blank copy of the Certification Statement and shall attest to an acceptable survey by signing the Certification Statement before leaving the vessel. Sample copy of the Certification Statement is appended to the end of this Section.

c. In the event the Contractor's authorized representative observes (and quantifies) specific documentary evidence of either fraud, collusion, or obvious error, the survey will be immediately rerun. Resurveys will totally supersede any previously run survey and will be run over the full reach of any particular Acceptance Section.

d. If acceptability is not acquired after performing one resurvey of an Acceptance Section, a meeting shall be held between the Contractor and the COR to expeditiously resolve the issue causing rejection of the survey. Contractor equipment and personnel standby time to resolve acceptability of the survey shall be at the Contractor's expense.

e. In no case shall a previously unacceptable survey be later judged acceptable by the Contractor; unless such a reassessment/reevaluation is performed within 24 hours after the original survey, and prior to initiating any resurvey action based upon identifiable collusion, fraud, or obvious error.

f. Should the Contractor or his authorized representative refuse to certify to the acceptability of a survey for contract payment without identifiable collusion, fraud, or obvious error, then the following actions will follow:

(1) Preconstruction (pre-dredging) Survey

Excavation shall not commence until representatives of the Contractor and Contracting Officer have met and resolved the basis for refusal of certification. Should the Contractor commence excavation prior to obtaining an acceptable survey, he shall be liable for any excavation performed. If a resurvey is performed, and accepted, prior excavation will not be measured, estimated, or paid for.

(2) Post-construction (after-dredging) Survey

The 3-week survey window allowed under subparagraph "Measurement" of Section 01270 MEASUREMENT AND PAYMENT will be indefinitely extended until a final survey is accepted. Any material accretion which might occur due to such a time extension will neither be measured, estimated, or paid for.

(3) Refusal to Certify

Contractor equipment and personnel standby time to resolve his refusal to certify to the acceptability of a survey when there is no identifiable collusion, fraud, or obvious error shall be at the Contractor's expense and resultant delays shall not be the basis for time extensions of the contract.

g. Intermediate surveys taken between the pre-dredging and post-dredging surveys will not be considered for the purposes of

determining quantities for final payment and acceptance of the area dredged.

### 3.6 INSPECTION

#### 3.6.1 Quality Assurance Representative (QAR)

The QAR shall be notified prior to the establishment of horizontal control work (baseline layout, ranges, station flags, shore-based control for EPS/RPS, etc.) and vertical control work (tide staff(s), upland cross sections, construction elevations top/invert, maximum/minimum elevations of dredged materials within disposal area(s), etc.), but the presence or absence of the QAR shall not relieve the Contractor of his responsibility for proper execution of the work in accordance with the specifications. The Contractor will be required:

To furnish, on the request of the Contracting Officer or any QAR, the use of such boats, boatmen, laborers, and material forming a part of the ordinary and usual equipment and crew of the dredging plant as may be reasonably necessary in inspecting and supervising the work.

#### 3.6.2 Failure to Comply

In conjunction with the Clause INSPECTION OF CONSTRUCTION of Section 00700 CONTRACT CLAUSES, should the Contractor refuse, neglect, or delay compliance with these requirements, the specific facilities may be furnished and maintained by the Contracting Officer and the cost thereof will be deducted from any amounts due or to become due the Contractor.

### 3.7 FINAL EXAMINATION AND ACCEPTANCE

#### 3.7.1 Final Examination of Work

As soon as practicable and no later than three (3) weeks after the completion of the entire work or any section thereof (if the work is divided into sections) as in the opinion of the Contracting Officer will not be subject to damage by further operations under the contract, such work will be thoroughly examined at the cost and expense of the Government by sounding or by sweeping, or both, as determined by the Contracting Officer. Should any shoals, lumps, or other lack of contract depth be disclosed by this examination, the Contractor will be required to remove same by dragging the bottom or by dredging at the contract rate of dredging. The Contractor or his authorized representative will be notified when soundings and/or sweepings are to be made and will be permitted to accompany the survey party. When the area is found to be in a satisfactory condition, it will be accepted finally. Should more than two sounding or sweeping operations by the Government over an area be necessary by reason of work for the removal of shoals disclosed at a prior sounding or sweeping, the cost of such third and any subsequent soundings or sweeping operations will be charged against the Contractor at the rate of \$5,500 per day for each day in which the Government plant is engaged in sounding or sweeping and/or is enroute to or from the site or held at or near the said site for such operation.

#### 3.7.2 Final Acceptance

Final acceptance of the whole or a part of the work and the deductions or corrections of deductions made thereon will not be reopened after having once been made, except on evidence of collusion, fraud or obvious error,

and the acceptance of a completed section shall not change the time of payment of the retained percentages of the whole or any part of the work.

3.8 SHOALING

If, before the contract is completed, shoaling occurs in any section previously accepted, including shoaling in the finished channel because of the natural lowering of the side slopes, redredging at contract price, within the limits of available funds may be done if agreeable to both the Contractor and the Contracting Officer.

3.9 NOISE CONTROL

All hauling and excavating equipment and dredge/barges, boats, and tugs used on this work shall be equipped with satisfactory mufflers or other noise abatement devices. The Contractor shall conduct his operations so as to comply with all Federal, State and local laws pertaining to noise. The use of horns and whistle signals shall be held to the minimum necessary in order to ensure as quiet an operation as possible.

3.10 DAILY REPORT OF OPERATIONS

See APPENDIX 02325-A at the end of this Section (24 pages).

3.11 CERTIFICATION STATEMENT

See APPENDIX 02325-B at the end of this Section (1 page).

3.12 DECLARATION OF INSPECTION FOR REFUELING

See APPENDIX 02325-C at the end of this Section (3 pages).

3.13 SAMPLE - TRACK AND DRAFT PLOT DIAGRAM

See APPENDIX 02325-D at the end of this Section (1 page).

3.14 SAMPLE - SCATTER PLOT DIAGRAM WITH TABLE

See APPENDIX 02325-E at the end of this Section (2 pages).

-- End of Section --

