

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**

1. CONTRACT ID CODE

PAGE OF PAGES

1 | 33

2. AMENDMENT/MODIFICATION NO.

0001

3. EFFECTIVE DATE

14 APR 2000

4. REQUISITION/PURCHASE REQ. NO.

W25PHS-0013-9879

5. PROJECT NO. (If applicable)

6. ISSUED BY

CODE

ESP0000

7. ADMINISTERED BY (If other than Item 6)

CODE

E5CTCSGF

US ARMY ENGINEER DISTRICT, PHILADELPHIA  
WANAMAKER BUILDING, RM 643  
100 PENN SQUARE EAST  
PHILADLEPHIA, PA 19107-3390

USACE, PHILADELPHIA (CENAP-CT-C)  
POC SANDI FLETCHER  
WANAMAKER BUILDING  
100 PENN SQUARE EAST  
PHILADELPHIA, PA 19107-3390

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

9A. AMENDMENT OF SOLICITATION NO

DACW61-00-B-0010

9B. DATED (SEE ITEM 11)

28 MARCH 2000

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 \_\_\_\_\_ 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)

MAINTENANCE DREDGING, SALEM RIVER, NEW JERSEY, STA. 3+600 TO STA. 24+896

**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.)

THIS AMENDMENT DOES NOT EXTEND THE 27 APRIL 2000 BID OPENING DATE AT 11:00 A.M.

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)

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)

14. DESCRIPTION OF AMENDMENT

a. Specifications:

- (1) SECTION 00800: Please delete page named "Table of Contents - Special Contract Requirements" and substitute new page named "Table of Contents - Special Contract Requirements", and delete pages 00800-4 through 00800-6 and substitute new pages 00800-4 through 00800-6, annotated Amendment No. 0001 and attached hereto.
- (2) SECTION 00815: Please delete pages 00815-23 through 00815-27 and substitute new pages 00815-23 through 00815-27, annotated Amendment No. 0001 and attached hereto.
- (3) SECTION 00845: Please insert new page 00845, annotated Amendment No. 0001 and attached hereto.
- (4) SECTION 01090: Please make a Pen and Ink change adding after the " Naval Publications and Forms Directorate" the following address: " New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, NJ 08625, Tel: (609) 530-2000."
- (5) SECTION 01300: Please delete page 01300-1 and pages 01300-7 through 01300-15 and substitute new page 01300-1 and pages 01300-7 through 01300-15, annotated Amendment No. 0001 and attached hereto.
- (6) SECTION 02880: Please make a Pen and Ink change adding " NEW JERSEY DEPARTMENT OF TRANSPORTATION (1996) STANDARD SPECIFICATIONS" to PART 1 GENERAL paragraph 1.2 REFERENCES.
- (7) SECTION 02880: Please delete pages 02880-3 through 02880-12 and substitute new pages 02880-3 through 02880-12, annotated Amendment No. 0001 and attached hereto.

- b. Please indicate receipt of this amendment on Standard Form 1442 ( SOLICITATION, OFFER, AND AWARD) as Amendment No. 0001. Failure to acknowledge all amendments may be cause for rejection of the bid.

Amendment No. 0001

Invitation for Bids  
DACW61-00-B-0010

TABLE OF CONTENTS

SPECIAL CONTRACT REQUIREMENTS

|       |   |
|-------|---|
| 00800 | SPECIAL CLAUSES   |
| 00805 | CONTRACT ADMINISTRATION   |
| 00815 | WAGE RATES  |
| 00835 | REGIONS FOR THE CONSTRUCTION EQUIPMENT OWNERSHIP AND<br>OPERATIONS EXPENSE SCHEDULE |
| 00840 | SURVEY CONTROL DESCRIPTION SHEETS   |
| 00845 | <b>ABSTRACT OF BOTTOM SAMPLES</b> *   |

- (3) Promptly notify the Contracting Officer of any discrepancies, and;  
 (4) Be responsible for any errors which might have been avoided by complying with this paragraph (b).

c. Large scale drawings shall, in general, govern small scale drawings. Figures marked on drawings shall, in general, be followed in preference to scale measurements.

d. Omissions from the drawings or specifications or the misdescription of details of work which are manifestly necessary to carry out the intent of the drawings and specifications, or which are customarily performed, shall not relieve the contractor from performing such omitted or misdescribed details of the work, but shall be performed as if fully and correctly set forth and described in the drawings and specifications.

e. The work shall conform to the specifications and the contract drawings identified on the following, all of which are available in the office of the District Engineer, U.S. Army Engineer District, Philadelphia, Room 643, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107. Drawings are titled: "Maintenance Dredging, Salem River, New Jersey." (DFARS 252.236-7001)

| Drawing No. | Subtitle                                 | Date        | Latest Revision Date |
|-------------|--|-------------|----------------------|
| 58394       | General Plan                             | 28 March 00 | None                 |
| 58395       | Station 3+600 to 10+000                  | 28 March 00 | None                 |
| 58396       | Station 10+000 to 17+171.29              | 28 March 00 | None                 |
| 58397       | Station 17+171.29 to 24+896              | 28 March 00 | None                 |
| 58398       | Cross-Sections                           | 28 March 00 | None                 |
| 58399       | Killcohook Disposal Area<br>Sheet 1 of 4 | 28 March 00 | None                 |
| 58480       | Killcohook Disposal Area<br>Sheet 2 of 4 | 28 March 00 | None                 |
| 58481       | Killcohook Disposal Area<br>Sheet 3 of 4 | 28 March 00 | None                 |
| 58482       | Killcohook Disposal Area<br>Sheet 4 of 4 | 28 March 00 | None                 |

#### SC-5 PHYSICAL DATA (APR 1984)

Data and information furnished or referred to below is for the Contractor's information. The Government shall not be responsible for any interpretation of or conclusion drawn from the data or information by the Contractor. (FAR 52.236-4)

a. The indications of physical conditions on the drawings are the result of surveys made on 28 and 29 September 1999 and 12 October 1999. The surveys were obtained utilizing electronic positioning equipment and electronic depth recorders operating at a frequency of 200 Khz.

b. Tide Data. The mean range of spring tides in the Delaware River at the mouth of Salem River is approximately 5.6 feet. The elevation of Corps of Engineers local mean low water is 2.4 feet below National Geodetic Vertical Datum ( NVGVD )1929.

c. Weather Conditions. The site of the work is exposed. It is believed that work can be performed during all seasons of the year except during winter months when ice conditions may interfere with dredging operations. Complete weather records and reports may be obtained from the local U.S. \*

Weather Bureau Office nearest to the work site. The Contractor shall satisfy himself as to the hazards likely to arise from weather conditions during the construction period.

d. Channel Traffic. Traffic in the work area consists of recreational craft and occasional tugboats and barges. Passing vessels may interfere with the dredging operations.

e. Conditions of Channel. The channel conditions shown on the contract drawings represent the results of surveys made on the dates indicated and can only be considered as indicating the general conditions at that time.

f. Utility Crossing. Overhead power cables having a minimum vertical clearance of 66 feet at mean high water exist in the vicinity of the mouth of the Salem River.

g. 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 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. The Contractor shall request the U.S. Coast Guard to issue a Notice to Mariners for each work assignment advising navigation interests that the Contractor's dredging plant will be operating in the Harbor. The Contractor shall submit each such request to the U.S. Coast Guard, MSO/Group Philadelphia, 1 Washington Avenue, Philadelphia, PA 19147-4395. The Contractor shall furnish a copy of each request to the Contracting Officer not less than five days prior to the start of dredging. Each request shall contain the approximate time required for completion of dredging. Upon completion of dredging, the Contractor shall promptly remove his plant, including ranges, buoys, piles and other marks placed by him under the contract in navigable waters and on shore.

h. Navigation Aids. The Contractor shall not relocate or move any aids to navigation that have been established by the U.S. Coast Guard. If it becomes necessary to have any aid to navigation moved in order to complete dredging operations under this contract, the Contractor shall notify the U.S. Coast Guard at least 30 days prior to the desired date for movement of the aid. All requests shall be made in writing to: Commander (OAN), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, VA 23704. A copy of each request shall be furnished to the Contracting Officer.

i. Location. Salem River is located in Salem County near the town of Salem, NJ, approximately 30 miles southwest of Philadelphia, PA.

j. Laying of Submerged Pipelines and Obstruction of Channel. Should it become necessary in the performance of this contract to use a submerged pipeline, the Contractor shall notify the Contracting Officer in advance of the schedule for placement of the pipeline. Any submerged pipeline crossing the Salem River navigation channel shall be set a minimum of **16** feet below MLW. If the submerged line is to be placed across a navigable channel, the Contractor shall submit a request for approval at least ten working days (Sundays and holidays excluded) prior to the desired closure date, to the U.S. Coast Guard, MSO/Group Philadelphia, 1 Washington Avenue, Philadelphia, PA 19147-4395. A copy of each request shall be furnished to

\*

the Contracting Officer. This request shall contain the following information:

- (1) Location (Channel Centerline Stationing) and depth (over the top of the pipeline) at which the submerged line will be placed;
- (2) The desired length of time the channel is to be closed;
- (3) The date and hour placement or removal will commence;
- (4) The date and hour of anticipated completion; and
- (5) The name and telephone number of the person to be contacted for information and response to any emergency condition.

The Coast Guard has indicated that the requirements of navigation may make it necessary to establish times other than those requested. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE HIS PLANS WITH THE COAST GUARD SUFFICIENTLY IN ADVANCE OF THE PLANNED CLOSING TO PREVENT DELAY TO THE DREDGING OPERATIONS AND COMPLY WITH THE COAST GUARD REQUIREMENTS.

k. Bridge to Bridge Radio Telephone Equipment. In order that radio telephone communication may be made/maintained with passing vessels, all dredges engaged in work under the contract shall be equipped with and operate bridge-to-bridge radio telephone equipment. The radio telephone equipment shall operate on VHF Channel 13 (156.65 MHz) with low power output having a communication range of approximately ten miles. The frequency has been approved by the Federal Communication Commission.

l. The most recent dredging of this project was completed under Contract No. DACW61-95-C-0044 in March 1996 by Weeks Marine Dredging Company.

m. Disposal Areas: The Government-furnished, Killcohook disposal area is available for use under this contract. Its location is indicated on the contract drawings. Drawings are marked to show Contractor discharge pipe limits within disposal areas, where applicable.

n. Magnitude of the Contract Work. The estimated value of the contract is between \$500,000 and \$1,000,000.

o. "Abstract of Bottom Samples" **is included as Section 00845 of this contract.** \*

p. Survey control description sheets are included as Section 00840 of this contract.

#### SC-6 LAYOUT OF WORK (APR 1965 OCE)

The Contractor shall lay out its work from Government-established survey controls, the description of which are provided in Section 00840 of this document, and shall be responsible for all measurements in connection therewith. The Contractor shall furnish, at its own expense, such stakes, templates, platforms, equipment, range markers and labor as may be required in laying out any part of the work from the triangulation stations and bench marks established by the Government. The Contractor shall be responsible for executing the work to such lines and grades as may be established or indicated by the Contracting Officer. 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

0 requestor considers relevant to the issue.

1

2 3.) If the decision of the Administrator is not favorable, an  
3 interested party may appeal directly to the Administrative Review  
4 Board (formerly the Wage Appeals Board). Write to:

5

6 Administrative Review Board  
7 U. S. Department of Labor  
8 200 Constitution Avenue, N. W.  
9 Washington, D. C. 20210

0

1

4.) All decisions by the Administrative Review Board are final.

BRS Document Viewer

General Decision Number NJ000008

General Decision Number NJ000008  
Superseded General Decision No. NJ990008  
State: New Jersey Construction Type:  
DREDGING County(ies):

|            |            |       |
|------------|------------|-------|
| ATLANTIC   | GLOUCESTER | OCEAN |
| BERGEN     | HUDSON     | SALEM |
| CAMDEN     | MERCER     | UNION |
| CAPE MAY   | MIDDLESEX  |       |
| CUMBERLAND | MONMOUTH   |       |

Heavy and Highway Construction Projects.  
Modification Number Publication Date  
0 02/11/2000

COUNTY(ies):

|            |            |       |
|------------|------------|-------|
| ATLANTIC   | GLOUCESTER | OCEAN |
| BERGEN     | HUDSON     | SALEM |
| CAMDEN     | MERCER     | UNION |
| CAPE MAY   | MIDDLESEX  |       |
| CUMBERLAND | MONMOUTH   |       |

SUNJ2001A 05/24/1993

Rates Fringes

SELF-PROPELLED HOPPER DREDGES:

Drag Tenders 8.21

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Unlisted classifications needed for work not included within the  
scope of the classifications listed may be added after award only  
as provided in the labor standards contract clauses (29 CFR?5.5(a

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can  
be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a  
position on a wage determination matter
- \* a conformance (additional classification and rate)  
ruling

On survey related matters, initial contact, including requests  
for summaries of surveys, should be with the Wage and Hour

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Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

4.) All decisions by the Administrative Review Board are final.

**General Decision Number NJ000006**

**General Decision Number NJ000006      Superseded General Decision No. NJ990006**

**State: New Jersey**

**Construction Type:**

**DREDGING**

**County(ies):**

**STATEWIDE**

**All Dredging except self propelled hopper dredges, on the Atlantic Coast & tributary waters emptying into the Atlantic Ocean.**

**Modification Number      Publication Date**

0      02/11/2000

1      04/07/2000

**COUNTY(ies):**

**STATEWIDE**

**ENGI0025D 10/01/1999**

|                                       | <b>Rates</b> | <b>Fringes</b> |
|---------------------------------------|--------------|----------------|
| <b>DIPPER &amp; CLAMSHELL DREDGE:</b> |              |                |
| Operator                              | 26.26        | 5.71+a+b       |

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|  |       |          |
|--|-------|----------|
| Engineer   | 23.12 | 5.71+a+b |
| Maintenance Engineer   | 22.07 | 4.11+a+b |
| Welder   | 21.72 | 4.11+a+b |
| Mate   | 20.57 | 4.11+a+b |
| Boat Master  | 21.57 | 4.11+a+b |
| Boat Captain   | 20.72 | 4.11+a+b |
| Fireman; Oiler   | 17.39 | 4.51+a+b |
| Deckhand; Tug Deckhand   | 16.96 | 4.51+a+b |
| Scowman  | 12.06 | 4.20+a+b |
| DRAG BUCKET DREDGE:  |       |          |
| Operator   | 25.09 | 4.81+a+b |
| Engineer   | 21.41 | 4.81+a+b |
| Maintenance Engineer   | 21.21 | 4.51+a+b |
| Mate   | 19.82 | 4.51+a+b |
| Deckhand   | 16.17 | 4.20+a+b |
| HYDRAULIC DREDGES:   |       |          |
| Leverman   | 25.78 | 5.71+a+b |
| Engineer; Derrick Operator   | 22.61 | 5.71+a+b |
| Chief Mate   | 22.28 | 5.71+a+b |
| Chief Welder   | 22.90 | 5.71+a+b |
| Maintenance Engineer   | 22.07 | 4.11+a+b |
| Electrician  | 21.92 | 5.71+a+b |
| Welder Dredge  | 21.71 | 5.71+a+b |
| Spider Barge Operator  | 21.52 | 4.11+a+b |
| Mate   | 20.57 | 4.11+a+b |
| Boat Master  | 21.73 | 5.71+a+b |
| Boat Captain   | 20.72 | 4.11+a+b |
| Steward  | 20.52 | 4.11+a+b |
| Fireman; Oiler   | 17.39 | 4.51+a+b |
| Deckhand   | 16.74 | 4.51+a+b |
| Tug Deckhand   | 16.96 | 4.51+a+b |
| Shoreman   | 16.74 | 4.51+a+b |
| Assistant Cook   | 16.84 | 4.51+a+b |
| Night Cook   | 16.84 | 4.51+a+b |
| Messman  | 16.36 | 4.51+a+b |
| Janitor/Porter   | 16.36 | 4.51+a+b |
| COMPANY LEAD DREDGEMAN:  |       |          |
| Lead Dredgeman   | 25.78 | 5.71+a+b |
| TUG BOATS over 1,000 H.P. (with<br>master or captain having license<br>endorsed for 200 miles off shore):    |       |          |
| Tug Master   | 23.09 | 5.71+a+b |
| Tug Captain  | 22.16 | 5.71+a+b |
| Tug Chief Engineer   | 21.47 | 4.11+a+b |
| Tug Engineer   | 21.03 | 4.11+a+b |
| Tug Deckhand   | 16.96 | 4.51+a+b |
| TUG BOATS over 1,000 H.P. (without<br>master or captain having license<br>endorsed for 200 miles off shore): |       |          |
| Tug Master   | 20.71 | 4.51+a+b |
| Tug Captain  | 19.80 | 4.51+a+b |
| Tug Engineer   | 19.80 | 4.51+a+b |
| Tug Deckhand   | 16.36 | 4.20+a+b |
| DRILL BOATS:   |       |          |
| Engineer   | 23.24 | 4.81+a+b |
| Blaster  | 23.51 | 4.81+a+b |
| Driller  | 23.25 | 4.81+a+b |

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|                                 |       |          |
|---------------------------------|-------|----------|
| Welder                          | 22.77 | 4.51+a+b |
| Machinist                       | 22.77 | 4.51+a+b |
| Tug Master                      | 20.26 | 4.51+a+b |
| Tug Captain                     | 19.34 | 4.51+a+b |
| Oiler                           | 20.25 | 4.20+a+b |
| Tug Deckhand                    | 15.83 | 4.20+a+b |
| Core Driller                    | 18.38 | 4.20+a+b |
| DIVERS:                         |       |          |
| Diver                           | 35.22 | 4.81+a+b |
| Standby Diver                   | 24.51 | 4.81+a+b |
| Tender                          | 27.09 | 4.81+a+b |
| Standby Tender                  | 20.66 | 4.51+a+b |
| DREDGING PIPELINE CABLE-LAYING: |       |          |
| Leverman                        | 24.30 | 4.81+a+b |
| Control Tower Operator          | 22.44 | 4.81+a+b |
| Rigger                          | 17.18 | 4.20+a+b |
| Line up Operator, End Prep.     | 16.62 | 4.20+a+b |
| Diver                           | 35.99 | 4.81+a+b |
| Diver Tender                    | 22.33 | 4.81+a+b |
| ENGINEER:                       |       |          |
| 1st                             | 22.44 | 4.81+a+b |
| 2nd, 3rd & 4th                  | 22.12 | 4.81+a+b |
| Electrician                     | 21.80 | 4.81+a+b |
| Elec. Hydro Tech.               | 18.41 | 4.51+a+b |
| Tug Master                      | 21.79 | 4.81+a+b |
| Tug Captain                     | 20.67 | 4.51+a+b |

PREMIUMS: Additional 20% for hazardous material work

FOOTNOTES APPLICABLE TO ALL ABOVE CRAFTS:

- a. PAID HOLIDAYS: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day and Good Friday.
- b. VACATION: Eight percent (8%) of the straight time rate multiplied by the total hours worked.

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.  
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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(v)).  
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In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

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On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U. S. Department of Labor  
200 Constitution Avenue, N. W.  
Washington, D. C. 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

RECEIVED  
MAR 24 2000

| ABSTRACT OF BOTTOM SAMPLES |         |                 |                  |                   |       |               | DATE OF SAMPLING   | SAMPLING BY  |         |                                   |                 |  |  |  |
|----------------------------|---------|-----------------|------------------|-------------------|-------|---------------|--------------------|--------------|---------|-----------------------------------|-----------------|--|--|--|
| LOCATION                   |         |                 |                  | DATUM             |       |               | DENSITY BY         |              |         |                                   |                 |  |  |  |
| NUMBER                     | STATION | NORMAL DISTANCE | MACHINE SOUNDING | LEAD LINE         |       | HARPOON DEPTH | SAMPLE RETAINED    | BOTTLE DEPTH | DENSITY | REMARKS                           |                 |  |  |  |
|                            |         |                 |                  | LIGHT             | HEAVY |               |                    |              |         |                                   |                 |  |  |  |
| Salem River, New Jersey    |         |                 |                  | Salem River Datum |       |               | Fri. 24 March 2000 |              |         |                                   | Cipriani/Gumley |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   | Richardson      |  |  |  |
| 1HA                        | 5+600   | ⊥               | 16.7             | 15.7              | 16.2  | 22.2          | 1'                 |              | 1284    | Upper Foot (mud)                  |                 |  |  |  |
| 1HB                        | 5+600   | ⊥               | 16.7             | 15.7              | 16.2  | 22.2          | 1'                 |              | 1337    | Lower Foot (mud)                  |                 |  |  |  |
| 2HA                        | 7+500   | ⊥               | 15.9             | 16.4              | 16.7  | 21.6          | 1'                 |              | 1314    | Upper Foot (mud)                  |                 |  |  |  |
| 2HB                        | 7+500   | ⊥               | 15.9             | 16.4              | 16.7  | 21.6          | 1'                 |              | 1409    | Lower Foot (mud)                  |                 |  |  |  |
| 1P                         | 14+909  | ⊥               | 18.1             | 18.2              | 18.7  | 18.7          | 1PT                |              | 1999    | Peterson - 1 Pt. (SAND)           |                 |  |  |  |
| 2P                         | 17+700  | 125'N           | 15.9             | 16.0              | 16.5  | 16.5          | 1PT                |              | 2101    | Peterson - 1 Pt. (SAND + PEBBLES) |                 |  |  |  |
| 3P                         | 24+792  | 425'N           | 13.8             | 14.7              | 15.1  | 15.1          | 1PT                |              | 2029    | Peterson - 1 Pt. (SAND + PEBBLES) |                 |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   |                 |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   |                 |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   |                 |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   |                 |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   |                 |  |  |  |
|                            |         |                 |                  |                   |       |               |                    |              |         |                                   |                 |  |  |  |



SECTION 01300

SUBMITTAL PROCEDURES

PART 1 GENERAL

1.1 SUMMARY (Not Applicable)

1.2 REFERENCES (Not Applicable)

1.2.1 SUBMITTALS

**SD-07 Schedules**

\*

**Review and Complete Submittal Register (ENG Form 4288); GA CO. Deviations from the Plans and Specifications; GA CO. Updated Submittal Register (ENG Form 4288); GA CO.**

1.3 SUBMITTAL CLASSIFICATION

Submittals are classified as follows:

1.3.1 Government Approved

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 Contract Clause entitled "Specifications and Drawings for Construction," they are considered to be "shop drawings."

1.3.2 Information Only

All submittals not requiring Government approval will be for information only. They are not considered to be "shop drawings" within the terms of the Contract Clause referred to above.

1.4 APPROVED SUBMITTALS

The approval of submittals by the Contracting Officer 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 CQC requirements of this contract, is responsible for the dimensions and design of adequate connections, details and 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 given consideration unless accompanied by an explanation as to why a substitution is necessary.

1.5 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 as specified for the initial submittal. If the Contractor

considers any correction indicated on the submittals to constitute a change to the contract, notice as required under the Contract Clause entitled "Changes" shall be given promptly to the Contracting Officer.

#### 1.6 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

The Contractor shall submit all items listed on the Submittal Register (ENG Form 4288) or specified in the other sections of these specifications. The Contracting Officer may request submittals in addition to those listed when deemed necessary to adequately describe the work covered in the respective sections. Units of weights and measures used on all submittals shall be the same used in the contract drawings. Submittals shall be made in the respective number of copies and to the respective addresses set forth below. Each submittal shall be complete and in sufficient detail to allow ready determination of compliance with contract requirements. Prior to submittal, all items shall be checked and approved by the Contractor and each respective transmittal form (ENG Form 4025) shall be signed and dated certifying that the accompanying submittal complies with the contract requirements. Proposed deviations from the contract requirements shall be clearly identified. Submittals shall include items such as: Contractor's, manufacturer's, or fabricator's drawings; descriptive literature including (but not limited to) catalog cuts, diagrams, operating charts or curves; test reports; test cylinders; samples; O&M manuals including parts list; certifications; warranties and other such required submittals. Submittals requiring Government approval shall be scheduled and made prior to the acquisition of the material or equipment covered thereby.

##### 3.2 SUBMITTAL REGISTER (ENG Form 4288)

Attached to this section is a Submittal Register (ENG Form 4288) listing each item of equipment and material for which submittals are required by the specifications. Columns "d" thru "r" have been completed by the Government. The Contractor shall complete columns "a", "b" and "c" and "s" thru "u". The Contractor shall review, complete and submit, in triplicate, the completed register listing all submittals and dates, to the Contracting Officer at the CQC coordination meeting. In addition to those items listed on ENG Form 4288, the Contractor shall furnish submittals for any deviations from the plans and specifications. The scheduled need date shall be recorded on the register for each item for control purposes. The approved submittal register will become the scheduling document and will be used to control submittals throughout the life of the contract. Scheduling shall be coordinated with the approved construction progress chart. The Contractor's CQC system manager shall review the listing at least every 30 days and take appropriate action to maintain an effective system. Copies of updated or corrected listings shall be submitted to the Contracting Officer at least every 60 days, in triplicate. Payment will not be made for any material or equipment which does not comply with contract requirements.

##### 3.3 SCHEDULING

**SUBMITTAL REGISTER**

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| ACTIVITY NO | TRANSMITTAL NO. | ITEM NO | SPECIFICATION PARAGRAPH NUMBER | DESCRIPTION OF ITEM SUBMITTED      | TYPE OF SUBMITTAL |              |                |            |           |              |         |        |             |                  |                     | CLASSIFICATION |        | CONTRACTOR SCHEDULE DATES |                    |      | CONTRACTOR ACTION |                      | GOVERNMENT ACTION |      | REMARKS |     |
|-------------|-----------------|---------|--------------------------------|------------------------------------|-------------------|--------------|----------------|------------|-----------|--------------|---------|--------|-------------|------------------|---------------------|----------------|--------|---------------------------|--------------------|------|-------------------|----------------------|-------------------|------|---------|-----|
|             |                 |         |                                |                                    | DRAWINGS DATA     | INSTRUCTIONS | SPECIFICATIONS | STATEMENTS | PROPOSALS | CERTIFICATES | SAMPLES | PHOTOS | O&M MANUALS | INFORMATION ONLY | GOVERNMENT APPROVED | REVIEWER       | SUBMIT | APPROVAL NEEDED BY        | MATERIAL NEEDED BY | CODE | DATE              | SUBMIT TO GOVERNMENT | CODE              | DATE |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         | f.  |
| a.          | b.              | c.      | d.                             | e.                                 | f.                | g.           | h.             | i.         | j.        | k.           | l.      | m.     | n.          | o.               | p.                  | q.             | r.     | s.                        | t.                 | u.   | v.                | w.                   | x.                | y.   | z.      | aa. |
|             |                 |         | 52.222-8<br>Pg 23              | Payroll and Basic Records          |                   |              |                |            |           |              |         |        | X           |                  |                     | X              | CO     |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         | 52.222-27<br>Pg 27             | Affirmative Action Compliance Plan |                   |              |                |            |           |              |         |        | X           |                  |                     | X              | CO     |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         | SC-18<br>Pg 11                 | Certificate of Insurance           |                   |              |                |            |           |              | X       |        |             |                  |                     | X              | CO     |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         | 52.236-15<br>Pg 67             | Dredging Progress Schedule         |                   |              | X              |            |           |              |         |        |             |                  |                     | X              | CO     |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |                                    |                   |              |                |            |           |              |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |

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|-------------|-----------------|---------|--------------------------------|--|-------------------|--------------|----------------|------------|-----------|----------|---------|--------|-------------|------------------|---------------------|----------------|--------|---------------------------|--------------------|------|-------------------|----------------------|------|-------------------|----|---------|
|             |                 |         |                                |  | DRAWINGS DATA     | INSTRUCTIONS | SPECIFICATIONS | STATEMENTS | PROPOSALS | CUTTINGS | SAMPLES | PHOTOS | O&M MANUALS | INFORMATION ONLY | GOVERNMENT APPROVED | REVIEWER       | SUBMIT | APPROVAL NEEDED BY        | MATERIAL NEEDED BY | CODE | DATE              | SUBMIT TO GOVERNMENT | CODE | DATE              |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   | f. |         |
| a.          | b.              | c.      | d.                             | e.   | f.                | g.           | h.             | i.         | j.        | k.       | l.      | m.     | n.          | o.               | p.                  | q.             | r.     | s.                        | t.                 | u.   | v.                | w.                   | x.   | y.                | z. | aa.     |
|             |                 |         | SC-5g                          | Copy of Request to USCG for Notice to Mariners                         |                   |              |                |            |           |          |         |        | X           |                  | X                   |                | CO     |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         | SC-5h                          | Copy of Request to USCG for Movement of Navigation Aids                |                   |              |                |            |           |          |         |        | X           |                  | X                   |                | CO     |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         | SC-5j                          | Copy of Request to USCG for Placing Submerged pipelines Across Channel |                   |              |                |            |           |          |         |        | X           |                  | X                   |                | CO     |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         | SC-18                          | Evidence of Insurance  |                   |              |                |            |           |          |         |        | X           |                  | X                   |                | CO     |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |      |                   |    |         |







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|-------------|-----------------|---------|--------------------------------|--|-------------------|--------------|----------------|------------|-----------|----------|---------|--------|-------------|------------------|---------------------|----------------|--------|---------------------------|--------------------|------|-------------------|----------------------|-------------------|------|---------|-----|
|             |                 |         |                                |  | DRAWINGS DATA     | INSTRUCTIONS | SPECIFICATIONS | STATEMENTS | PROPOSALS | CUTTINGS | SAMPLES | PHOTOS | O&M MANUALS | INFORMATION ONLY | GOVERNMENT APPROVED | REVIEWER       | SUBMIT | APPROVAL NEEDED BY        | MATERIAL NEEDED BY | CODE | DATE              | SUBMIT TO GOVERNMENT | CODE              | DATE |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         | f.  |
| a.          | b.              | c.      | d.                             | e.   | f.                | g.           | h.             | i.         | j.        | k.       | l.      | m.     | n.          | o.               | p.                  | q.             | r.     | s.                        | t.                 | u.   | v.                | w.                   | x.                | y.   | z.      | aa. |
|             |                 |         | 3.2                            | Review and Complete Submittal Register (ENG Form 4288) |                   |              |                | X          |           |          |         |        |             |                  | X                   | CO             |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         | 3.2                            | Deviations from the Plans and Specifications           |                   |              |                | X          |           |          |         |        |             |                  | X                   | CO             |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         | 3.2                            | Updated Submittal Register (ENG Form 4288)             |                   |              |                | X          |           |          |         |        |             |                  | X                   | CO             |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |
|             |                 |         |                                |  |                   |              |                |            |           |          |         |        |             |                  |                     |                |        |                           |                    |      |                   |                      |                   |      |         |     |







The Contractor shall submit for approval a complete list of all vessels and equipment to be used during the contract, including all dredging plants, supporting vessels, and equipment. The vessel list shall contain the types, the numbers of each, the draft of each, and all other pertinent information.

Sampling Data; GA

Water quality sampling data shall be submitted at the end of each month.

#### SD-08 Statements

Disposal Area Plan; GA

The Contractor shall submit to the Contracting Officer for approval, a plan for usage or modification of the Government-furnished disposal area and the development of any Contractor-furnished disposal areas. This plan shall show the area or portions thereof to be used, the locations and cross-sections of proposed dikes, the locations of sluices and drainage structures, including walkways and steel safety cables, and the manner in which the dredged material will be distributed in the area. Plans for any Contractor-furnished rehandling basins and inclosures, including character of materials to be used, means of placement, and cross-sections of proposed dikes and other structures, shall also be submitted for approval by the Contracting Officer.

Pumpout Plan; GA

If a hopper dredge is used for the contract work, the Contractor shall submit to the Contracting Officer for approval its plan for direct pumpout of dredged material. The plan shall include the description, dimensions, and location of the proposed facility.

#### SD-09 Reports

Daily Report of Operations; GA

The Contractor shall prepare, maintain, and submit daily for approval, a Daily Report of Operations forms, and shall furnish signed copies thereof with the Quality Control Reports required in SECTION 01400: CONTRACTOR QUALITY CONTROL, to the Contracting Officer. A copy of the Daily Report of Operations forms to be used are attached at the end of this section. Further instructions on the preparation and submittal of the forms will be provided at the Pre-Dredging Coordination Meeting.

#### SD-13 Certificates

Timber-Flash Boards; GA; Stone; GA

Certificates of compliance attesting that the plastic sheeting, timber-flash boards and stone conform to the requirements of this specification, shall be submitted for approval.

#### SD-18 Records

Disposal Area Effluent Measurements; FIO

Records of disposal area effluent measurements and corrective action taken shall be submitted daily to the Contracting Officer.

## GPS Positioning; FIO

The real time positioning of the dredge shall be recorded on a computer disk every 15 minutes and submitted to the Contracting Officer on a monthly basis.

## PART 2 PRODUCTS

## 2.1 TIMBER FLASH-BOARDS

All lumber for flash-boards shall be Southern Yellow Pine, dense structural grade, and shall conform to the SPIB-01 and the applicable requirements of FS MM-L-751. Flash-boards shall be surfaced four sides and the dress size shall conform to DOC PS 20. Flash-boards shall be pressure-preservative treated with chromated copper arsenate (water-borne solution) in accordance with AWPA C2 to have a minimum net retention of solid preservative of 2.5 pounds per cubic foot. Flash-boards shall be 4 inch nominal thickness.

## 2.2 STONE

Stone used to construct ramps over any discharge pipelines shall be NJDOT #467 stone, in accordance with the New Jersey DOT Specifications Section 901.

## PART 3 EXECUTION

## 3.1 DISPOSAL OF EXCAVATED MATERIAL

## 3.1.1 General

The material excavated shall be transported, deposited and confined as specified within the disposal area shown on the Contract Drawings, or within any disposal area furnished by the Contractor, as approved by the Contracting Officer. The Killcohook disposal area shown on the Contract Drawings, will only be available for the hydraulic disposal of material.

## 3.1.2 Misplaced Material

Any material deposited in places other than those designated or approved by the Contracting Officer, or which escapes from places designated or approved by the Contracting Officer for disposal, will not be paid for. The Contractor may be required to remove such misplaced material in accordance with Contract Clause entitled OBSTRUCTION OF NAVIGABLE WATERWAYS, and deposit it where directed at the Contractor's expense.

## 3.1.3 Hydraulic Dredging

Material excavated by hydraulic pipeline dredging shall be transported by pipeline to final position in the approved Government-furnished disposal area. Material excavated by hopper dredging shall be loaded into bins or hoppers to overflow only and pumped directly into the approved disposal area by a means which will preclude any loss of material to the river prior to deposit in the disposal areas. Special care shall be taken to assure that hoppers do not leak during any portion of the work.

For all methods of dredging, all pipelines shall be kept in good condition at all times, and any leaks or breaks along their length shall be promptly

and properly repaired. All discharge piping crossing the navigation channel shall be submerged to a minimum depth, as specified in the Special Clause entitled: "PHYSICAL DATA", Section 00800.

#### 3.1.4 Bucket Dredging

##### 3.1.4.1 General

No bucket dredging will be allowed for this contract.

##### 3.1.4.2 Rehandling

No Government-furnished rehandling basin is available for the contract work.

#### 3.2 CONTRACTOR-FURNISHED DISPOSAL AREAS

The Contractor shall undertake the coordination with Federal and state agencies as specified in Section 01040 COORDINATION FOR CONTRACTOR-FURNISHED DISPOSAL AREAS. As specified in that section, use of these areas will be subject to the approval of the Contracting Officer.

#### 3.3 DEVELOPMENT AND OPERATION OF DISPOSAL AREAS

##### 3.3.1 General

Prior to the use or modification of any Government-furnished disposal area or construction for development of any Contractor-furnished disposal areas, the Contractor shall submit the disposal area plan specified in the Paragraph entitled: "SUBMITTALS" to the Contracting Officer for approval. At least 7 days prior to the use or modification of any Government-owned land or facilities, the Contractor shall contact Mr. Harry Faulls, Fort Mifflin Project Office, at (215) 365-1892/0342. The Contractor shall conduct his work in accordance with the approved plan; however, approval of the plan by the Contracting Officer does not in any manner relieve the Contractor of his responsibility for the adequacy of the design and construction of the required structures and drainage facilities. The Contractor shall be responsible for the maintenance and repair of all Government-owned land, roads and facilities used by him under the contract.

All Contractor-owned dredging pipe (shore or submerged) used in the contract work shall be removed from the site by the Contractor within 30 days of completion of all dredging work.

##### 3.3.2 Construction and Maintenance

###### 3.3.2.1 Government-Furnished Upland Disposal Areas

a. If the Contractor elects to use the disposal area shown on the Contract Drawings, he may use the existing retaining dikes, sluices and drainage structures and shall make all repairs, strengthening, extensions and modifications to such facilities as are necessary for confining the excavated material and for controlling disposal area effluent until acceptance of all work under the contract. The Contractor shall clear the area within and around the sluices of all vegetation and debris. The Contractor will be permitted, in the Government-furnished disposal areas, to construct any other structures or use any means necessary to control the dredge effluent as required to meet these specifications, with approval from the Contracting Officer.

b. The Contractor shall be responsible for the maintenance, repair and

stability of all dikes, roads and structures used by him under the contract, and shall inspect the dikes on a daily basis to assure their safety and stability. The Contractor shall restore all dikes, roads, and areas he disturbs through his operations to a satisfactory condition as approved by the Contracting Officer, at no additional cost to the Government. The Government will have the right to regulate the use of the disposal area throughout the contract.

c. The Contractor shall provide his own pipelines and they shall enter the Government-furnished disposal area only within the discharge limits shown on the Contract Drawings. The Contractor shall be responsible for obtaining any required right-of-ways for his operations. The Contractor shall ensure the discharge end of the dredge pipe extends 40 feet past the interior crest of the containment dike. The 40 foot length shall be sufficiently and safely supported along its entirety by timber cribbing, a compacted earthen embankment or other means approved by the Contracting Officer's Representative. The Contracting Officer reserves the right to direct the extension of Contractor-furnished pipelines beyond the discharge limits shown on the Contract Drawings if required for efficient management of the disposal area. The Contractor shall obtain written permission from the Contracting Officer prior to entering on or utilizing any property owned or leased by the Government other than diked disposal areas.

d. The Contractor shall construct a ramp over any discharge pipeline that crosses any existing access road. The ramp shall be constructed using New Jersey DOT #467 stone. Upon removal of the pipeline, the Contractor shall spread the material evenly over the existing road surface.

#### 3.3.2.2 Special Requirements for Government-Furnished Disposal Areas

Borrow for diking material may be obtained from within the disposal area but not closer than 30 feet from the inside toe of the dike sections. Wetting or drying of borrow material shall be performed as required to obtain optimum practical moisture content. Borrow material and the ground surface upon which it is to be placed shall be free of all debris, timber and accumulations of vegetation. Dike material shall be placed in approximately equal horizontal layers not exceeding 12 inches in loose thickness and shall be compacted by the controlled traffic of spreading and/or hauling equipment over each layer. The borrowing of material from the area outside the existing perimeter dikes will not be permitted. The Contractor shall provide at his own expense all impervious material required for mitigation of seepage problems during disposal operations from an approved off-site source if suitable material is unavailable from within the disposal area.

#### 3.3.2.3 Contractor-Furnished Disposal Areas

In the approved disposal areas, the Contractor shall provide retaining dikes, sluices and drainage facilities as required to confine the excavated material and for controlling disposal area effluent and shall be responsible for the maintenance and stability of the disposal areas until acceptance of all work under the contract.

#### 3.3.2.4 Additional Requirements for Government-Furnished and Contractor-Furnished Disposal Areas

a. A freeboard of two feet or more, measured vertically between the retained materials and water and the top of the adjacent confining

dikes, shall be maintained at all times during the operation of the disposal area. If the required freeboard is not met, the Contractor shall stop pumping into the disposal area until corrective means have been taken which are satisfactory to the Contracting Officer.

b. Pipe type sluices will not be permitted through exterior dikes, and at no time will the dredge pipe be permitted to enter the disposal area through an exterior dike. The hydraulic placing of perimeter dikes will not be permitted.

c. Development of the Contractor-furnished disposal areas or any modifications to the Government-furnished disposal area shall be done so as to prevent obstruction of drainage on upland areas adjacent thereto, and to leave free, clear and unobstructed, outfalls of sewers, drainage ditches, and other structures affected by the disposal operations. The dredged materials shall be distributed within the used portion of the disposal area in a reasonably uniform manner so as to permit full drainage without ponding on the fill surface during and after fill operations.

d. The Contractor shall ensure that all sluice boxes have structurally sound access walkways with handrails on both sides of the walkway. The walkways shall be constructed from the top of the dike to the sluices, along the frontage of the sluice structure, and along the entire length of each individual sluice box to enable the inspector to readily obtain the samples of the mixture going over the sluices as hereinafter specified. Timber used to construct the walkways shall be in accordance with the requirements for the sluice box timber and in accordance with Section 21 of EM 385-1-1.

e. Prior to pumping material into the disposal area, the Contractor shall weld 1-inch diameter steel rings to the underside of the upper cross members on each end of all sluices. The Contractor shall attach a 3/8-inch steel cable to these rings which will run the length of each sluice. The cables shall be used to attach full body safety harnesses for employees working on the sluices.

f. The Contractor shall provide a full body safety harness for employees and Government inspectors to use during the installation and removal of sluice boards and the taking of samples from the sluice. Each person working on the sluice will wear the safety harness and attach it to the cable installed on each sluice.

g. The Contractor shall have a minimum of 2 personnel at the disposal area when work (disposal or other) is being done at a disposal area, and a generator with a light plant sufficient to light the sluice area during darkness. The disposal area personnel shall have radio communication with the dredge at all times.

### 3.4 CONTROL OF DISPOSAL AREA EFFLUENT

#### 3.4.1 General

The Contractor shall monitor disposal area conditions to maintain sufficient freeboard, as described in the Paragraph entitled: "Additional Requirements for Government-Furnished and Contractor-Furnished Disposal Areas", and to maintain effluent quality as prescribed below. Sluice height shall be reviewed by the Contractor on a continuing basis to insure that the optimum height needed to satisfy both of these requirements is

employed at all times. The Contractor shall be required to raise the elevation of the crest of the sluice or to stop pumping into the disposal area and permit the fill to settle whenever the density of the samples of the mixture of suspended material and water discharged over the sluice is greater than 8 grams per liter at the sluice at the Killcohook disposal area or any other sluice which discharges outside of an approved disposal area. This shall include disposal areas where material is being rehandled in accordance with the Paragraph entitled: "DISPOSAL OF EXCAVATED MATERIAL". Samples for density determination shall be taken, tested, and recorded by the Contractor. Samples at the sluice shall be taken as often as required and at least twice daily at times when the flow is at maximum rate and after the dredge has been operating continuously for not less than the time required for solids in suspension to flow from the discharge pipe to the sluice. The minimum frequency of sampling at the sluice shall be increased when effluent density increases or nears the maximum specified. The Contracting Officer may require the Contractor to increase the frequency of sampling if he deems it necessary. All density determinations including times of sampling shall be recorded on the Daily Report of Operations forms required in the Paragraph entitled: "CONTRACTOR QUALITY CONTROL".

#### 3.4.2 Special Requirements for Disposal Area

If the Contractor elects to use the Killcohook Government-furnished disposal area, the Contractor shall discharge into Area 2. The Contractor shall maintain an effluent density at the sluice of less than 8 grams per liter at all times.

#### 3.4.3 Effluent Density

Each sample at the sluice shall be made up by partially filling, without overflow, a one-quart container with the mixture flowing over the sluice at not less than ten different places in the length of the sluice and combining the mixture in a bucket or other suitable container. When settled solids are not present in the sample, the density may be determined by the hydrometer method or the weight-volume method as hereinafter specified. When settled solids are present, the density shall be determined by the weight-volume method.

a. Hydrometer Method: When the hydrometer method is used for density determination, an instrument similar or equal to Catalog No. 11556F, Fisher Scientific Company shall be used. The hydrometer shall be used as specified by the manufacturer.

b. Weight-Volume Method: When the weight-volume method is used for density determination, the total sample shall be measured to obtain volume in liters and weight in grams. Measurements shall be made with a 1,000 c.c. laboratory cylinder and a scale or balance capable of weighing the sample and cylinder to the nearest gram. The unit weight shall then be obtained by dividing the total weight in grams by the total volume in liters.

#### 3.4.4 Timber Flash-Boards

The Contractor shall provide, prior to commencement of pumping, a sufficient number of flash-boards for the sluice, as required, for the retention of dredged material under this contract and shall assure that the entire sluice length is effective. Strong solution for brush treatment shall be available at the site and all cut surfaces shall be heavily

brushed.

### 3.4.5 Continuing Effluent Control

Upon completion and acceptance of a work assignment, the Contractor shall provide continuing, intermittent labor to assure that effluent control is continued beyond the completion of dredged discharge into the disposal area. Control, including the removal of flash-boards, shall be continued until water impoundment is reduced to that which existed prior to the commencement of disposal into this area. The time required for effluent control beyond completion and acceptance of the work assignment shall not be considered part of the completion time for the contract.

### 3.5 OVERDEPTH AND SIDE SLOPES

#### 3.5.1 Overdepth

To cover inaccuracies of the dredging process, material actually removed from within the contract limits shown on the Contract Drawings to a depth of not more than 1 foot below the required depth, limited by a vertical plane through the required depth contour, will be estimated and paid for at the contract unit price for dredging.

#### 3.5.2 Side and End Slopes

No side or end slopes are specified for this contract.

#### 3.5.3 Excessive Dredging

Material taken from beyond the limits specified in the Paragraphs entitled "Overdepth" and "Side and End Slopes" will be deducted from the total amount dredged, and deemed excessive 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 requirements of the Special Clauses entitled: "FINAL EXAMINATION AND ACCEPTANCE" and "SHOALING".

### 3.6 ESTIMATED QUANTITIES

The total estimated quantity of material necessary to be removed within the specified limits as shown on the drawings, including allowable overdepth is as follows for each of the dredging areas:

| <u>Acceptance Section</u> | <u>Station to Station</u> | <u>Required Dredging to 16 ft. MLW (cy)</u> | <u>Allowable Overdepth 16 ft. to 17 ft. MLW (cy)</u> | <u>Total (cy)</u> |
|---------------------------|---------------------------|---|--|-------------------|
| 1                         | 3+600 to<br>5+600         | 8,630                                       | 7,507  | 16,137            |
| 2                         | 5+600 to<br>7+600         | 16,241                                      | 11,144   | 27,385            |
| 3                         | 7+600 to<br>9+200         | 1,450                                       | 4,753  | 6,203             |
| 4                         | 13+379 to<br>14+909       | 2,154                                       | 2,713  | 4,867             |
| 5                         | 14+909 to<br>17+171       | 2,635                                       | 2,218  | 4,853             |
| 6                         | 17+171 to<br>18+113       | 2,036                                       | 1,649  | 3,685             |
| 7                         | 23+751 to                 |   |  |                   |

|                  |              |            |              |
|------------------|--------------|------------|--------------|
| 24+896           | <u>1,432</u> | <u>853</u> | <u>2,285</u> |
| Estimated Totals | 34,578       | 30,837     | 65,415       |

### 3.7 LIMIT OF DREDGING

#### 3.7.1 General

The areas to be dredged are the contract limits as indicated on the Contract Drawings, as specified in the Special Clause entitled: "FINAL EXAMINATION AND ACCEPTANCE", and as defined by dredging prism indicated in the Paragraphs entitled: "OVERDEPTH AND SIDE SLOPES" and "MEASUREMENT AND PAYMENT".

#### 3.7.2 Quantity Acceptance

The Contractor is responsible for completing all dredging requirements for each acceptance section prior to acceptance of the work by the Government. In any portion of an acceptance section, when the before dredging survey indicates dredging is required, the Contractor is responsible for removing any required material found to be remaining above the depth by the after dredging survey, unless such dredging is waived by the Contracting Officer. Material removed as a result of redredging within the dredging contour, will be paid for at the contract unit price and as determined by the quantity calculation resulting from the before dredging survey. In any portion of an acceptance section, when the after dredging survey indicates dredging is required that was not indicated by the before dredging survey, the Contractor shall be responsible for removing such material to the required depth, unless waived by the Contracting Officer. The Contractor will be paid for such work at the contract unit price and an additional quantity calculation will be made based on the after dredge survey, provided that the material is not determined by the Contracting Officer to be misplaced material.

### 3.8 CONTRACTOR QUALITY CONTROL

The Contractor shall prepare and maintain Daily Report of Operations forms, and shall furnish signed copies thereof with the Daily Quality Control records required in Section 01400 CONTRACTOR QUALITY CONTROL to the Contracting Officer. Copies of the Daily Report of Operations forms to be used are attached at the end of this section. Further instructions on the preparation and submittal of the forms will be provided at the Pre-Dredging Coordination Meeting.

### 3.9 MEASUREMENT AND PAYMENT

#### 3.9.1 Mobilization and Demobilization

All costs connected with the mobilization and demobilization of all of the Contractor's dredging plant and equipment will be paid for at the contract lump sum price for this item. Sixty percent (60%) of the lump sum price will be paid to the Contractor upon completion of his mobilization at the first work assignment area. The remaining forty percent (40%) will be included in the final payment for work under this contract.

In the event the Contracting Officer considers that the amount in this item (60%) which represents mobilization, does not bear a reasonable relation to the cost of the work in this contract, the Contracting Officer may require the Contractor to produce cost data to justify this portion of the bid.

Failure to justify such price to the satisfaction of the Contracting Officer, will result in payment of actual mobilization costs, as determined by the Contracting Officer at the completion of mobilization, and payment of the remainder of this item in the final payment under this contract. The determination of the Contracting Officer is not subject to appeal.

All costs connected with the mobilization and demobilization of the Contractor's dredging plant and equipment as defined below shall be included in the contract lump sum price for Bid Item No. 1, "Mobilization and Demobilization" as listed in the Bidding Schedule.

a. Mobilization shall include all costs for operations accomplished prior to commencement of actual dredging operations; i.e., transfer of dredge, attendant plant, and equipment to site; initial installation of pipe; preparation of disposal area, including sluices, drainage structures and building of walkways; and other incidentals in advance of the actual dredging operations.

b. Demobilization shall include general preparation for transfer of plant to its home or standby base, removal of pipelines, cleanup of disposal areas, and transfer of plant to its home or standby base.

### 3.9.2 Disposal Area Costs

All costs in connection with the development and cleanup of disposal areas shall be included in the contract lump sum price for Bid Item No. 1 "Mobilization and Demobilization", as listed in the Bidding Schedule. Maintenance of the disposal area, and effluent control shall be included in the contract unit price for Bid Item No. 2, "Removal & Satisfactory Disposal of Material".

### 3.9.3 Dredging

The total amount of material removed and to be paid for under the contract, will be measured by the cubic yard in place. Measurement of the number of cubic yards in place will be made by computing the volume between the bottom surface shown by soundings of the last survey made before dredging and the bottom surface shown by the soundings of surveys made as soon as practicable after the work specified in each acceptance section has been completed. The volume for measurement shall include the material within the limits specified in the Paragraph entitled: "OVERDEPTH AND SIDE SLOPES", less any deductions that may be required for misplaced material as described in the Paragraph entitled: "DISPOSAL OF EXCAVATED MATERIAL". The volume of material removed will be computed by using the average end area method. Volume computations will be generated using all depths obtained by the single transducer sounding techniques or multi-transducer sweeps, or both, on the lines designated to obtain the average end areas. All survey data used for volume computations will be available to the Contractor upon request. Payment for dredging will be made at the contract unit price for Bid Item No. 2, "Removal and Satisfactory Disposal of Material" as listed in the Bidding Schedule.

#### 3.9.3.1 Surveys for Acceptance

The Contractor shall notify the Government of his need for acceptance surveys at least three days in advance of the date for each survey (Saturdays, Sundays and holidays are excluded), and shall confirm his need by telephone between 0730 and 0800 hours on the day of each survey by calling O & M Section at (Area Code 215) 656-6750. The Contractor shall

schedule the before-dredging survey for an acceptance section within 2 weeks of the expected start date of dredging operations. Only one before-dredging survey will be provided for each acceptance section. The time for any redredging to remove shoals and for second and subsequent surveys in any acceptance section is the responsibility of the Contractor, and must be accomplished within the completion period. The Contractor may accompany the survey party to determine whether he at his own election will perform redredging. The Contracting Officer will notify the Contractor if any redredging is required.

#### 3.9.3.2 Existing Conditions

The drawings as listed under the Special Clause entitled: "CONTRACT DRAWINGS, MAPS AND SPECIFICATIONS" are believed to accurately represent conditions existing at the time indicated, but the depths shown thereon will be updated, as required, by soundings taken prior to the commencement of dredging. Determination of quantities removed and the deductions made therefrom to determine quantities by place measurement to be paid in the area specified, after having once been made, will not be reopened, except on evidence of collusion, fraud, or obvious error.

#### 3.9.3.3 Hydrographic Survey Equipment

Hydrographic surveys under this contract will be accomplished with the use of either laser, microwave or DGPS positioning equipment. In addition, these surveys will be performed by single transducer sounding techniques or multi-transducer sweeps, or both. Bottom soundings will be made by a survey fathometer operating on a frequency of 194-206 Khz. The fathometer will be calibrated daily by the bar or ball check method or sound velocity profiler to account for variations of speed of sound in water.

#### 3.9.3.4 Partial Payment Quantity Determination

Monthly partial payments will be based on acceptance sections completed as determined by soundings or sweepings taken behind the dredge by the Government survey party.

-- End of Section --