



Oregon

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Addenda No. 1

TO: PLAN HOLDERS

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SUBJECT: OR233: Johnson Creek Culvert Section
Amity - Dayton Highway
Yamhill County
Grading, Structure, and Paving Project
(Bids to be opened and read February 15, 2007)

The following changes are made to the Project Special Provisions:

1. Subsection **00220.40(e) Lane Restrictions** - This subsection is replaced with the following subsection:

00220.40(e) Lane Restrictions - Outside of the full roadway closure, single traffic lane closures on the Amity - Dayton Highway (OR233) Highway, are allowed any time of day, Monday through Friday.

Also, any closure of two active traffic lanes at the same time will be limited to not more than 42 consecutive days, beginning at 5:00 a.m., August 11, 2007, and continuing thru midnight of the 42nd day.

In addition, outside of the full roadway closure, do not close any traffic lanes on the Amity - Dayton Highway (OR233) between:

- 3:00 p.m. on Fridays and midnight on Sundays.
- Noon on the day preceding legal holidays or holiday weekends and midnight on legal holidays or the last day of holiday weekends, except for Thanksgiving, when no lanes may be closed between noon on Wednesday and midnight on the following Sunday.

For the purposes of this section, legal holidays are as follows:

- New Year's Day on January 1
- Memorial Day on the last Monday in May
- Independence Day on July 4
- Labor Day on the first Monday in September
- Thanksgiving Day on the fourth Thursday in November
- Christmas Day on December 25

When a holiday falls on Sunday, the following Monday shall be recognized as a legal holiday. When a holiday falls on Saturday, the preceding Friday shall be recognized as a legal holiday.

Roadways shall be free of barricades or other objects and all lanes opened to traffic during all non-work hours outside of the full roadway closure.

2. Subsection **00220.40(g) Road Closure** - This subsection is replaced with the following subsection:

00220.40(g) Road Closure - Close the Amity – Dayton Highway (OR233) to traffic at the culvert site, approximate MP 2.75, during replacement of the culvert. Do not close the Amity – Dayton Highway (OR233) until all materials and equipment are on hand or guaranteed to be delivered so that the work can be done in an efficient manner with a minimum period of full roadway closure.

No full roadway closure will be permitted until the area is signed according to the TCP and the requirements of Section 00225. The full closure shall be limited to not more than 42 consecutive days, beginning at 5:00 a.m., August 11, 2007, and continuing thru midnight of the 42nd day.

3. Section **00290 Environmental Protection** - This Section is replaced with Section **00290**. See attachment for full text.

These changes will be included in the Contract for this Project. It is understood that your Bid will be submitted accordingly.

BLS:bls

SECTION 00290 - ENVIRONMENTAL PROTECTION

Comply with Section 00290 of the Standard Specifications supplemented and/or modified as follows:

00290.20 Hazardous Waste and Hazardous Substances - Revise this Subsection as follows:

In the bullet that begins "Oil and hazardous materials...", replace "OAR 340-108-0002" with "OAR 340-142-0005".

(c) Fuel Storage - Add the following paragraph at the end of this Subsection:

If above-ground fuel storage will exceed 2498 L (660 gallons) per container or 4996 L (1,320 gallons) aggregate, develop and submit for approval 10 days before the pre-construction conference, a spill prevention control and countermeasures (SPCC) plan, signed and stamped by a professional engineer, in accordance with 40 CFR 112. The SPCC plan requirement is in addition to the PCP requirement described above. Employees shall be trained as specified in 40 CFR 112 and the SPCC plan. Maintain a copy of the SPCC plan on-site at all times during construction activities, readily available to employees and inspectors.

Refer to 00290.30(a-1) for specific measures related to fuel storage and vehicle refueling procedures.

(d-1) General - In the paragraph that begins "Except as provided in...", replace "(b)" with "(2)".

(d-2) Inert Material - Add the following paragraph to the end of this Subsection:

Retain landfill disposal receipts for all non-inert solid waste generated from the Project site for at least one year after completion of the Project. Provide landfill disposal receipts to the Engineer if requested.

(e) Hazardous Waste Management - Add the following paragraphs to the end of this Subsection:

If the quantity of hazardous waste projected to be generated meets the requirements for a Conditionally Exempt Generator (CEG), in accordance with 40 CFR 261.5, store hazardous wastes on-site for no more than 180 days, with the total stored not to exceed 1000 kg (2,200 pounds) at any one time. All hazardous waste containers shall be in good condition, sealed and labeled with the words "Hazardous Waste" and the accumulation start and end dates. All employees involved in the handling and/or management of hazardous wastes shall comply with the federal and State regulatory requirements for hazardous waste management. If the quantity of hazardous waste generated in a given month exceeds the CEG limits, immediately comply with the requirements for small and large quantity generators, as set forth below, and for the remainder of the calendar year. Within 30 days of such exceedance, complete additional documentation and training required as a result of this change in status.

If the quantity of hazardous waste projected to be generated meets the requirements for a Small Quantity Generator (SQG) or a Large Quantity Generator (LQG), prepare a Hazardous Waste Contingency Plan, in accordance with 40 CFR 262.34 and 265.51. Maintain a copy of the Contingency Plan on-site at all times during construction activities, readily available to employees and inspectors. Employees shall receive hazardous waste training as specified in 40 CFR 262.34 and 265.16. On-Site storage of hazardous waste shall comply with the requirements of 40 CFR 262 and 265, OAR 340-102-034 and all other applicable federal, State and local laws and regulations. Submit monthly records of hazardous waste generation, transportation and disposal to the Engineer by the 15th day of the following month. A Certified Hazardous Materials Manager (CHMM) in good standing and with experience managing the hazardous wastes associated with the Project shall be available to oversee and direct hazardous waste management at the site.

If hazardous waste is to be treated on-site, all treatment activities shall comply with 40 CFR 262.34 and 268, and ORS 466.095. No on-site hazardous waste treatment may begin prior to receipt of Engineer approval.

00290.30 Pollution Control - In the paragraph that begins "Prevent, control and abate...", replace "ORS 279.318" with "ORS 279C.525".

00290.30(a-1) Minimum Required Measures - Add the following bullets to the end of the bullet list:

- For this Project, the Regulated Work Area (also referred to as the in-water work area, ordinary high water mark (OHM), two-year flood elevation, two-year floodplain, active channel, in-water work area, jurisdictional waterways, beds and banks of the State of Oregon) is defined as the area as the area delineated as wetlands on plan sheet 3.
- Perform work within the Regulated Work Area only during the permitted in-water work period. The permitted in-water work period is from July 1 to October 15.
- Placement or removal of materials within the Regulated Work Area is allowed only during the permitted in-water work period.
- Temporary water management device installation and removal and work within the device is allowed only during the permitted in-water work period. Temporary water management devices within the in-water work areas shown on the plans are required for construction of the new culvert.
- Do not discharge contaminated or sediment-laden water, or water contained within a temporary water management device, directly into any waters of the State until it has been satisfactorily treated (e.g., by bioswale, filter, settlement pond, pumping to vegetated upland location, bio-bag or dirt-bag).
- Contaminated or sediment-laden water from the project (e.g. water contained within a dewatered or isolated area) discharged directly into the Regulated Work Area or any waters of the State (e.g. Johnson Creek) shall meet the following water quality criteria:

- The turbidity of water discharged into the stream shall be less than 10% higher than the ambient turbidity of stream water measured upstream of the Enclosure.
- The pH of water discharged into the stream shall be within 1 point of the ambient pH of stream water measured upstream of the Enclosure.
- No water exhibiting a visible sheen of hydrocarbon contamination shall be discharged into the stream.
- Water within the Enclosure shall not be discharged directly to the stream without meeting these criteria. Water not meeting these criteria shall be treated, transported offsite, or remain within the Enclosure until meeting water quality criteria.
- Water to be discharged into the stream shall be tested periodically to ensure it meets water quality parameters. The Pollution Control Plan (PCP) shall contain a component describing the testing procedure to be used.
- Notify the Engineer at least three working days prior to completion of temporary water management device construction. Provide ODFW personnel access to temporary water management devices to remove fish trapped within the enclosure before beginning work within the device.
- The Engineer retains the authority to temporarily halt or modify the Project in case of excessive turbidity or damage to natural resources.
- Limit turbidity increase to 10% above background reading, as measured 30 m (100 feet) below the Project.
- Do not use treated timbers within the Regulated Work Area.
- Minimize alteration or disturbance of stream banks and existing riparian vegetation.
- Place "diapers" on equipment operating within 10 m (30 feet) of the Regulated Work Area.
- Inspect and clean all equipment prior to operating it within 90 m (300 feet) of the Regulated Work Area. Check all equipment for fluid leaks. Remove external oil, grease, dirt and caked mud. Do not discharge untreated wash and rinse water into the Regulated Work Areas. Establish temporary impoundments to catch water from equipment cleansing, at least 90 m (300 feet) from the Regulated Work Area and in locations so as not to contribute untreated wastewater to any flowing stream.
- Locate areas for non-workshift storage of equipment and vehicles, other than track-mounted vehicles, at least 90 m (300 feet) away from the Regulated Work Area.

- Locate areas for storing fuels and other potentially hazardous materials and areas for refueling and servicing equipment and vehicles at least 90 m (300 feet) away from the Regulated Work Area.
- For track-mounted equipment, large cranes, and other equipment whose limited mobility makes it impractical to move it for refueling, take precautions to minimize the risk of fuel reaching the Regulated Work Area. Implement spill prevention measures and provide fuel containment systems designed to completely contain a potential spill, as well as other pollution control devices and measures adequate to provide containment of hazardous material. Perform refueling operations to minimize the amount of fuel remaining in vehicles stored during non-work times.
- Do not refuel equipment or vehicles after 1 p.m. without the Engineer's approval.
- Maintain hazardous material containment kits and spill containment kits on-site to facilitate the cleanup of hazardous material spills for both dry-land spills and spills that could reach nearby waterways. Install hazardous material containment kits in instances where there is a potential for release of petroleum or other toxicants.
- Use bridge removal techniques conforming to the requirements of Section 00501.
- Implement containment measures adequate to prevent pollutants or construction and demolition materials, such as waste spoils, petroleum products, concrete cured less than 24 hours, concrete cure water, silt, welding slag and grindings, concrete saw cutting by-products and sandblasting abrasives, from entering the Regulated Work Area or any waterway.
- If flooding of the Project site is expected to occur within 24 hours, evacuate areas used for staging, access roads, or storage and remove materials, equipment, and fuel.
- No equipment will be allowed to enter or work in or on the water.
- No direct ground or water access to bridge piers will be allowed. Access via a catwalk or scaffold suspended from the bridge superstructure will be allowed if approved by the Engineer.
- Place riprap from above the bank line.
- End-dumping of riprap within the Regulated Work Area is prohibited.
- No grading of existing ground will be allowed.

00290.31 Protection of Fish, Wildlife and Plants - Revise this Subsection as follows:

(a) General - Add the following paragraphs and bullets to the end of this Subsection:

Meet with the Agency Biologist, Resource Representative, Engineer and inspector on site prior to moving equipment on-site or beginning any work, to ensure that all parties understand the locations of sensitive biological sites and the measures that shall be taken to protect them.

The following measures apply to the Project:

- Flag the boundaries of clearing limits associated with site access and construction to prevent disturbance of critical riparian vegetation, waters of the State, and other sensitive sites beyond the flagged boundary.
- Maintain downstream passage for adult and juvenile fish for the duration of the Project, including intermittent streams.
- Coordinate de-watering activities on-site with ODOT and ODFW Fish Biologists so that fish removal can be done prior to and during de-watering. Any initial preparation work in the stream, prior to the actual start of the de-watering, shall be considered part of the de-watering process.
- Fish Removal will be carried out by ODOT and/or ODFW Fish Biologists. Notify the Engineer two weeks prior to the date of anticipated de-watering activities so that ODOT can schedule fish removal with ODFW.

Add the following Subsection:

(c) Water Intake Screening - When drawing or pumping water from any stream, protect fish by equipping intakes with screens having a minimum 27% open area and meeting the following requirements:

- Perforated plate openings shall be 2.38 mm (3/32 inch) or smaller.
- Mesh or woven wire screen openings shall be 2.38 mm (3/32 inch) or smaller in the narrowest direction.
- Profile bar screen or wedge wire openings shall be 1.75 mm (1/16 inch) or smaller in the narrow direction.

Choose size and position of screens to meet the following criteria:

ENGLISH

	Approach Velocity¹ (feet/second)	Sweeping Velocity² (feet/second)	Wetted Area of Screen (square feet)	Comments
Ditch Screen	≤0.4	Shall exceed approach velocity	Divide max. water flow rate (cfs) by 0.4 fps	If screen is longer than 4 feet, angle 45° or less to stream flow
Screen with proven self-cleaning system	≤0.4	—	Divide max. water flow rate (cfs) by 0.4 fps	—
Screen with no cleaning system other than manual	≤0.2	—	Divide max. water flow rate (cfs) by 0.2 fps	Pump rate 1 cfs or less

¹ Velocity perpendicular to screen face at a distance of approximately 3 inches

² Velocity parallel to screen

Provide ditch screens with a bypass system to transport fish safely and rapidly back to the stream.

Add the following Subsection:

(d) Work Area Isolation - Implement containment measures adequate to prevent pollutants or construction and demolition materials, such as waste spoils, petroleum products, concrete cured less than 24 hours, concrete cure water, silt, welding slag and grindings, concrete saw cutting by-products and sandblasting abrasives, from entering the Regulated Work Area or any waterway or wetland.

Implement work area isolation and de-watering measures prior to any work within the Regulated Work Area.

Re-watering of the creek shall be done in such a way to keep water flowing in the creek downstream of the enclosure while the culvert is re-watered. Temporary water management device installation and removal is allowed only during the permitted in-water work period.

Placement or removal of materials within the Regulated Work Area is allowed only during the permitted in-water work period.

Do not discharge contaminated or sediment-laden water from the Project or from within a temporary water management device directly into any waterway or wetland of the State until it has been treated to the satisfaction of the Project Manager.

Notify the Project Manager at least three working days prior to completion of temporary water management device construction. Provide Agency and ODFW personnel access

to the Temporary water management devices within the in-water work areas to remove fish trapped within the enclosure before beginning work within the device.

Minimize alteration or disturbance of stream banks and existing riparian vegetation.

Perform bridge removal and/or demolition according to Section 00501.

Do not place any material or waste on any public or private wetland, or within 90 m (300 feet) of the Regulated Work Area or any waterway.

The Project Manager retains the authority to suspend the work for the causes listed in 00180.70. Excessive turbidity or damage to natural resources may be considered to constitute such cause.

00290.41 Protection of Wetlands - Modify this Subsection as follows:

(a) General - Add the following paragraphs and bullets to the end of this Subsection:

If wetlands are shown on the Plans, meet with the Agency Wetland Specialist, the Project Manager and inspector on-site prior to moving equipment onto the site or beginning any work, to ensure that all parties understand the locations of wetlands and the measures that shall be taken to protect them.

Ensure protection for wetlands as follows:

- Fence off wetland no-work zones using pedestrian safety fence or approved equivalent.
- Except as authorized by the Project Manager for the purpose of installing or maintaining approved wetland protective measures, keep all persons, equipment and materials off wetlands.
- Install all site protection for wetlands required by the Plans and Special Provisions prior to staging equipment or starting work near the site(s).
- No grubbing will be allowed in the wetland areas

The Project Manager has the authority to bar from the Project any person entering a protected site other than for the purpose of installing or maintaining protective measures. Add the following Subsection:

(c) Disturbing Wetlands - Comply with the conditions of Section 00404 and Removal/Fill permits obtained for the Project. Willful violation of permit conditions and applicable laws exposes the offending Contractor and other violators to criminal and civil sanctions. Civil sanctions include, but are not limited to, the offender's sole liability for all costs associated with site restoration, maintenance and additional mitigation work required by federal or State authorities.

The Project Manager may suspend work until the Contractor, Project Manager, Agency Wetland Specialist, and other required federal and State personnel, if any, meet to

determine damage to the site and the nature and scope of necessary site restoration and maintenance. The Project Manager may require the Contractor to submit a written plan for protection of other sites for the duration of the Project before work resumes.

00290.43 Temporary Work Access

(a) General - Prior to constructing the temporary work access road from which construction work will be performed, submit for review, plans, methods, and materials for the types of work access to be used.

No grading, clearing or grubbing of existing ground within the wetland boundary will be allowed. Within the wetlands limits of the temporary work access road, mow grasses and cut off shrubs at ground level with roots left intact.

(b) Materials - Use only uncontaminated material to construct the temporary work access road. Any construction material which exhibits remnants of lead-based paint or petroleum-based products including fuel, grease, oil, or any other materials deemed potentially hazardous to the project site are not allowed.

Provide embankment geotextile meeting the requirements of Section 02320. Provide "Level B" documentation according to 02320.10(c).

Use clean, unweathered, hard, durable, free draining, well graded angular rock. At least 95% of the rock shall be between 8" and 2" in size. Acceptance will be visual by the Engineer.

(c) Equipment Storage - Conform to the PCP and 00290.30(a) for storage, maintenance, refueling, hydraulic fluid replacement, and repair of equipment.

(d) Finishing and Cleanup - When the temporary work access road is no longer needed, remove all materials, taking care to minimize disruption of the ground surface. All temporary work access materials remain the property of the Contractor for disposal in a manner satisfactory to the Engineer.

00290.51 Protection of Sensitive Cultural Sites - Add the following paragraphs to the end of this Subsection:

Every effort has been made to identify all sensitive cultural sites on the Project. There are no known sensitive cultural sites on this project however, if the Contractor finds a previously undiscovered sensitive cultural site, immediately cease all activities at that site, follow procedures under Section 00290.50 (Protection of Cultural Resources), and notify the Engineer. If the Contractor inadvertently disturbs unknown sensitive cultural sites, but immediately ceases all activities and follows the procedures of 00290.50, the Agency, to the extent permitted by Article XI, section 7 of the Oregon Constitution and by the Oregon Tort Claims Act, will indemnify, within the limits of the Tort Claims Act, the Contractor for costs associated with monitoring, recovery, site restoration or other required archaeological work, provided neither the Agency nor the State shall be required to indemnify the Contractor for such costs resulting from, arising out of or relating to the willful misconduct, negligence or other wrongful acts attributable to the Contractor or other persons on the Project site.

Delays to work due to new cultural resource finds will be considered for exclusion from contract time according to 00180.50(e).

Work required for monitoring and site restoration for newly discovered sensitive cultural sites encountered by the Contractor will be paid according to Section 00197.