

# MEMORANDUM

## State of Alaska

*Department of Transportation and Public Facilities*

TO: See Distribution

DATE: September 30, 2013

FILE NO: 53619

TELEPHONE: 269-0423

FROM: Ryan Norkoli, P.E. RNN

SUBJECT: **AMATS: Arctic Blvd Bike Lanes:  
Fireweed Lane to 10<sup>th</sup> Ave  
000S789/53619  
PIH/PS&E Review**

Attached for review and comments are the appropriate copies of the subject assembly. The following specific replies are requested in addition to any other comments:

Right-of-Way	Either that R/W is available for the project or an estimated date when it may be available.
Utilities	Either the utility agreements have been completed or an estimated date when they may be available.
Project Control	Inform us as to whether or not the funding is available for the current estimate.
Environmental	What permits are required for this project and an estimated date when they will be acquired.

Ordinarily, only the principal reviewers are invited to attend. Comments are limited to those submitted in writing unless there are significant omissions.

**Please use the review comment form located on the Library drive in /admin/forms/forms/pre PS&E review comment.doc. If you don't have access to the L drive, and still need a current version of the comment form, let me know and I will E-mail it to you.**

The applicable ledger code for charging review time is **30328522** and collocation code is **24416863**.

**AMATS: Arctic Blvd Bike Lanes: Fireweed Lane to 10<sup>th</sup> Ave  
000S789/53619**

**PIH/PS&E Review**

REVIEW COMMENTS are due on October 17, 2013. The review meeting will be held at 9:00 am on October 24, 2013 in the **Construction** conference room.

**Please E-mail comments, using the comment form, to Ryan Norkoli**

**(ryan.norkoli@alaska.gov) and Kevin Jackson (kevin.jackson@alaska.gov)**

DISTRIBUTION:

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Newt Bingham, Central Region Materials, 2526 (2)  
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Burrell Nickeson, Maintenance and Operations, 2525  
Chris Post, Highway Design Peer Review Coordinator, 2525 (2)  
Ken Morton, Pre-Construction Engineer, 2525

Additional Distribution hand delivered to Kevin Jackson (**without Engineer's Estimate**):

Nichole Rehm, PTS, Inc for MOA (15)

# **Arctic Blvd Bike Lanes: Fireweed Lane to 10th Ave, PM&E No. 10-56**

Project# 53619

## **DESIGN STUDY REPORT**

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

PREPARED BY:

Hattenburg Dilley and Linnell  
3335 Arctic Boulevard, Ste 100  
Anchorage, AK 99503

September 2013

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION &  
PUBLIC FACILITIES

Central Region Design & Construction  
Traffic Design

Division of Statewide Design & Engineering Services

**Design Study Report**

for

**Arctic Blvd Bike Lanes: Fireweed Lane to 10th Ave**  
PM&E No. 10-56 / Project# 53619

Prepared By:

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Nick Oliveira, P.E. Date  
Hattenburg Dilley and Linnell

Concur by:

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Stephen D. Shrader, P.E. Date  
Engineering Manager, MOA Public Works  
Project Management & Engineering

Concur by:

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Kevin Jackson, P.E. Date  
DOT&PF Project Manager

Approved by:

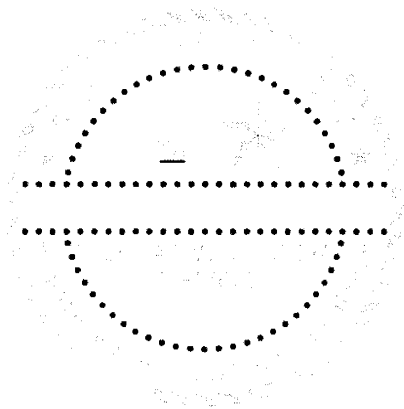
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JW Hansen Date  
Deputy Director, MOA Public Works  
Project Management & Engineering

Approved by:

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Kenneth M. Morton, P.E. Date  
DOT&PF Regional Pre-Construction Engineer



## NOTICE TO USERS

This document reflects the thinking and design decisions at the time of publication. Changes frequently occur during the evolution of the design process, so persons who may rely on information contained in the document should check with the Alaska Department of Transportation and Public Facilities (“the Department”) for the most current design. Contact the Engineering Project Manager, Kevin Jackson, P.E. at 269-0641 for information.

## PLANNING CONSISTENCY

This document was prepared in accordance with currently acceptable design standards and Federal Regulations, and with the input offered by the local government and public. The Department’s Planning Section has reviewed and approved this report as being consistent with the present community planning.

## CERTIFICATION

The Alaska Department of Transportation and Public Facilities hereby certifies that this document was prepared in accordance with CFR Title 23, Highways Section 771.111(h).

The Department has considered the project’s social and economic benefits upon the community, its impacts on the environment and its consistency with planning goals and objectives as approved by the local community. All records are on file in the Division of Statewide Design & Engineering Services, PO Box 196900, 4111 Aviation Avenue, Anchorage, Alaska 99519-6900.

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Kenneth M. Morton, P.E.      Date  
Regional Pre-construction Engineer

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Jennifer W. Witt, AICP      Date  
Chief, Planning & Admin. Services

The Department's Pre-Construction Manual Section 450.5.2 requires that each of the following topics be addressed in a design study report. Considered items are further developed in the text of this document. Items not elaborated have been considered and found irrelevant and/or not pertinent to the design of this project and are not discussed further.

<b>DESIGN STUDY CHECKLIST</b>			
<b>TOPIC</b>	<b>Description of Topic</b>	<b>Consider/Study</b>	
		<b>YES</b>	<b>NO</b>
1	Description of project location, existing facilities, and purpose and need for project.	√	
2	Design standards to be used, including project design criteria and design designation.	√	
3	Descriptions and comparative differences of design alternatives and their effects.	√	
4	Discussion of preferred alternatives.	√	
5	Typical sections, including shoulder treatment.	√	
6	Horizontal and vertical alignment, including location of bridges and other structures.		√
7	Erosion and sediment control.	√	
8	Drainage considerations.		√
9	Material and soil conditions for installation of foundations for lighting structures.		√
10	Access Control features.		√
11	Traffic analysis, as needed to substantiate need for project features.	√	
12	Safety improvements.	√	
13	Right-of-Way requirements.	√	
14	Pedestrian, bicycle facilities, including provisions for ADA compliance.	√	
15	Utility relocation and coordination.	√	
16	Pavement design, including life-cycle cost analysis.		√
17	Cost estimate for all phases (PE, ROW, Utilities and Construction)	√	
18	Environmental commitments and mitigation measures.	√	
19	Preliminary bridge layout		√
20	Identification and justification of exceptions to standards.	√	
21	Preliminary work zone traffic control	√	
22	Maintenance considerations.	√	
23	MS4 Compliance	√	

## FIGURES

Figure 1: Project Location and Vicinity Map

Figure 2: E Street and W. 15th Avenue Bicycle Lane Termination

### 1. PROJECT LOCATIONS AND DESCRIPTION

This project will add northbound and southbound Bicycle lanes to Arctic Boulevard / E Street from Fireweed Lane to 10th Avenue.

#### Location:

The location of the proposed bicycle lanes is from the Arctic Boulevard / Fireweed Lane Intersection to the E Street / 10th Avenue intersection. Approximately 1.25-miles of designated bicycle facilities will be added to this section of roadway.

#### Existing Facilities:

Arctic Boulevard is a northbound-southbound two lane, two-way neighborhood collector street according to the Municipality of Anchorage (MOA) Official Streets and Highway Plan (OS&HP). The Alaska Department of Transportation (ADOT) classifies Arctic Boulevard as a minor arterial street. The Arctic Boulevard / Fireweed Lane intersection has left turn auxiliary lanes on all approaches and is signal controlled.

17th Avenue is an eastbound-westbound two lane, two-way neighborhood collector street, according to the MOA OS&HP, that connects Arctic Boulevard and E Street with perpendicular curves at each end. The ADOT classifies 17th Avenue as a minor arterial street. 17th Avenue abuts Valley of the Moon Park.

E Street is a northbound-southbound two lane, two way neighborhood collector street according to the MOA OS&HP. The ADOT classifies E Street as a minor arterial street. The E Street / 15th Avenue intersection has left turn auxiliary lanes on all approaches and is signal controlled.

Each roadway segment width varies from 32-ft to 33-ft wide Lip-of-curb (LOC) to LOC. The Arctic Boulevard / Fireweed Lane intersection widens to approximately 51-ft wide LOC to LOC.

#### Purpose and Need:

The proposed project purpose is to increase bicycle facilities and the use of bicycles for transportation in accordance with the Anchorage Bicycle Plan (ABP). The need for the project is to address an identified gap in the ABP proposed Bicycle Network. This corridor is shared by motorists, bicyclists, and pedestrians. The existing 4-5 ft wide sidewalks don't provide adequate width for pedestrians and bicyclists to share these facilities. Adding a bicycle lane would give bicyclists a designated area to travel within the roadway and reduce the conflicts between bicyclists and pedestrians or vehicles.

#### Description:

Work for the Arctic Boulevard Bicycle Lanes project will upgrade signing and striping through this corridor with designated bicycle lanes and shared use lanes to compliment the ABP.



**Figure 1: Project Location and Vicinity Map**



## 2. DESIGN STANDARDS

This study was evaluated in accordance with the following publications:

- Alaska Highway Preconstruction Manual (PCM), published by the State of Alaska, Department of Transportation and Public Facilities, revised January 2005.
- Roadside Design Guide, published by the American Association of State Highway and Transportation Officials, 2002.
- A Policy on Geometric Design of Highways and Streets, 2001 edition published by the American Association of State Highway and Transportation Officials (AASHTO).
- Alaska Traffic Manual (ATM) 2012, which consists of the 2009 Manual of Uniform Traffic Control Devices, published by the U.S. Department of Transportation, Federal Highway Administration, and the latest edition of the Alaska Supplement published by the State of Alaska, Department of Transportation & Public Facilities.
- Standard Specifications for Structural Signs for Highway Signs Luminaires & Traffic Signals, published by the American Association of State Highway and Transportation Officials (AASHTO), 1994 & 2001.
- Guide for the Development of Bicycle Facilities, 1999 edition published by the American Association of State Highway and Transportation Officials (AASHTO).
- 2009 Municipality of Anchorage Standard Specifications, Revision 3 (2009 MASS Rev 3), Published by the Municipality of Anchorage (MOA).
- Anchorage Bicycle Plan, 2010 edition published by the MOA.
- Highway Safety Manual, 2010 edition published by the American Association of State Highway and Transportation Officials (AASHTO)

## 3. DESIGN ALTERNATIVES

The following options or combination of options were considered:

- **Option 1-** No build would result in no changes to the roadway. This option would not meet the purpose and need stated in the ABP and environmental documentation.
- **Option 2-** Provide a bicycle lane in each direction from the Arctic Boulevard / Fireweed Lane intersection to the E Street / 10th Avenue intersection. This option would eliminate on-street parking throughout the entire corridor, and may require additional consultations for 4f/6f park land due to reducing parking for the Valley of the Moon Park.
- **Option 3-** Provide bicycle lanes in each direction on Arctic Boulevard and E street. The bicycle lanes will transition to a shared vehicle-bicycle lane on 17th Avenue. This will eliminate parking on Arctic Boulevard and E Street, but not on 17th Avenue adjacent to the Valley of the Moon Park.

#### **4. PREFERRED ALTERNATIVE**

The preferred alternative for this project is Option 3. This project will install striping to delineate 11-ft vehicle lanes and 5-ft bicycle lanes, measured from lip of curb to shoulder stripe, in both directions along Arctic Boulevard and E Street. A shared vehicle-bicycle lane will also be marked on 17th Avenue to reduce the impact on parking adjacent to the Valley of the Moon Park. The markings shall be inlaid Methyl Methacrylate (MMA). It is anticipated that all the striping throughout the project area will be restriped with inlaid MMA. Signs shall also be installed throughout the project to help delineate the bicycle corridor. The bicycle lanes will reduce the need for bicyclists to share facilities with vehicles or pedestrians on Arctic Boulevard and E Street. The shared lane markings on 17th Avenue will provide delineation to both vehicles and bicyclists that the lane can be occupied by both users. It will also delineate a designated bicycle route and provide the northbound-southbound route shown in the ABP.

The width of the roadway and the number of lanes at the Arctic Boulevard / Fireweed Lane and E Street / 15th Avenue intersections prohibit the addition of bicycle lanes through the intersection. The northbound / southbound bicycle lanes will transition into shared vehicle-bicycle lanes at the beginning of the left turn auxiliary lane taper. The bicycle lanes will begin again at the end of the opposite left turn auxiliary lane taper at the E Street / 15th Avenue intersection. The vehicular and bicycle lane configuration at an intersection is presented in Figure 2.

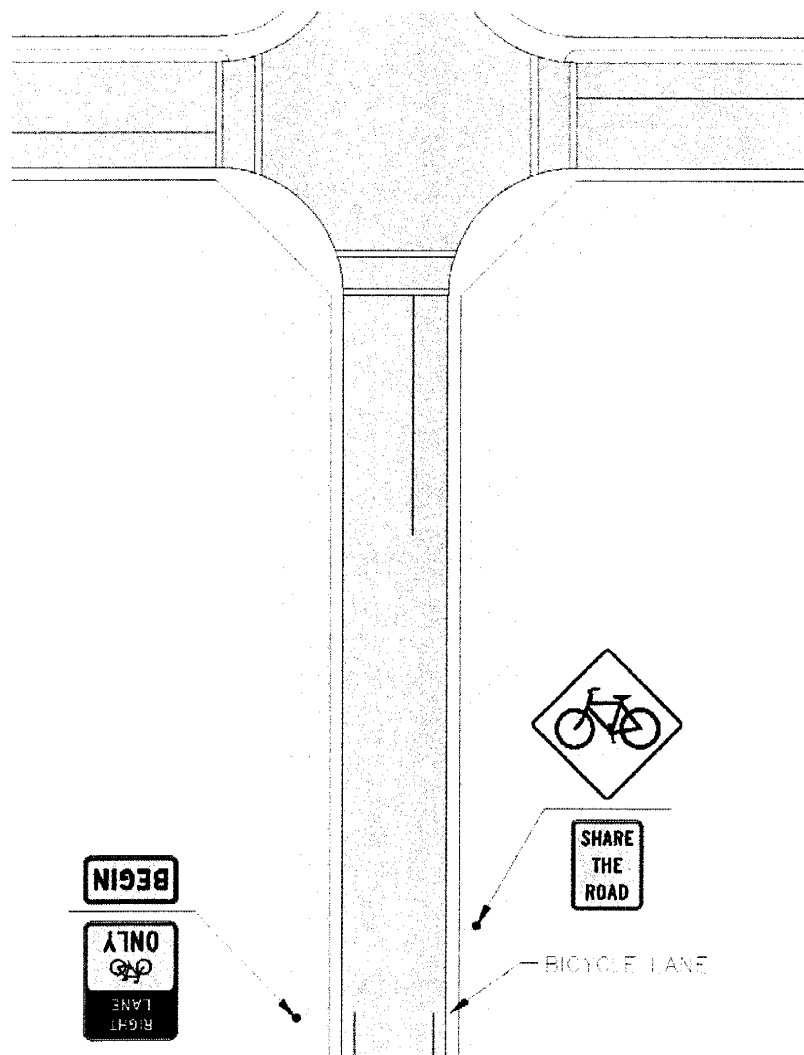
To ensure adequate lane width and minimize vehicle-bicycle conflicts, parking along both sides of Arctic Boulevard and E Street, within the project area, shall be prohibited.

#### **5. TYPICAL SECTIONS**

Work for the bicycle lanes should not require modification to the existing roadway typical sections.

#### **7. EROSION AND SEDIMENT CONTROL**

The project includes temporary measures to prevent waterway and soil contamination from construction materials and debris. The Contractor will prepare a Storm Water Pollution and Prevention Plan (SWPPP) prior to construction that follows the guidelines of the Erosion and Sediment Control Plan (ESCP) provided to the Contractor. The Contractor will submit the SWPPP for approval by the Department's Environmental Section. The Contractor shall conduct construction activities in accordance with the approved SWPPP. The existing roadway surface and drainage ditches will, at all times, be protected by utilization of proper environmental procedure in accordance with the projects approved SWPPP.



**Figure 2: Bicycle Lane Transition at Intersection**

## 11. TRAFFIC ANALYSIS

The Average Annual Daily Traffic (AADT) for the Arctic Boulevard / Fireweed Lane intersection is 15800 vehicles per day (vpd) and E Street / 10th Avenue is 6100 vpd. The posted speed of the corridor is 30 mph. The 85th percentile for the speed on 17th Avenue is 36 mph. The increase of bicycle traffic and the reduction of the lane width from 17-ft to 11-ft may reduce the average speed through the corridor.

Arctic Boulevard / E Street currently do not have bicycle facilities adjacent to the roadway or a bicycle lane in the roadway. Bicycles are sharing the road with vehicles and the sidewalk with pedestrians. Between 2009 and 2011, 111 crashes occurred in the project area. Nine of the crashes involved bicycles including one with incapacitating injuries. The bicycle lanes would provide designated areas for bicyclists, increase bicyclist visibility, and reduce conflicts between bicycles and vehicles or pedestrians.

## **12. SAFETY IMPROVEMENTS**

Documentation regarding the impacts of adding bicycle lanes on roadway safety is minimal and inconsistent. The Highway Safety Manual states that "providing dedicated bicycle lanes in urban areas appears to reduce bicycle-vehicle crashes and total crashes on roadway segments. However, the magnitude of the crash effect is not certain at this time." (13A.9.1.15 pg.13-74). The Crash Modification Factors (CMF) Clearinghouse provides three bicycle lane studies which show the effects of adding bicycle lanes to an existing roadway. One of the studies shows negative effects on vehicle/bicycle crashes when adding a bicycle lane; whereas, the other two studies show positive effects when adding a bicycle lane. Conclusive research has not been performed, so the overall affect of adding bike lanes in this area is unknown.

## **13. RIGHT-OF-WAY REQUIREMENTS**

The existing Right-of-Way widths for Arctic Blvd, 17th Ave, and E St are 60-ft according to the Anchorage Bowl Grid Maps (SW1330, SW1430, and SW1530). All permanent improvements will be constructed within the existing Right-of-Way.

## **14. PEDESTRIAN AND BICYCLE FACILITIES**

Two 5-ft wide bicycle lanes, measured from lip of curb to shoulder stripe, will be designed and installed on Arctic Boulevard and E Street. A shared vehicle-bicycle lane will be designed and installed on 17th Avenue. The AASHTO Guide for the Development of Bicycle Facilities will be used to develop the design. No alterations will be made to the existing sidewalks and pathways.

## **15. UTILITY RELOCATIONS AND COORDINATION**

There are no utility conflicts in this project.

## **17. COST ESTIMATE**

Project costs are estimated as follows:

Design	\$101,000
Utilities	\$0
Right of Way	\$0
Construction	\$165,000.00
<b>PROJECT TOTAL</b>	<b>\$266,000.00</b>

## **18. ENVIRONMENTAL COMMITMENTS**

As this project is not expected to be controversial or have any significant impacts to the natural or manmade environment, it was found to qualify as a Programmatic Categorical Exclusion (CE) as per 23 CFR 771.117. The final (P)CE is included in Appendix A.

An environmental commitments memo will be prepared and provided to the Project Engineer and Contractor at the Pre-Construction meeting.

## **20. EXCEPTIONS TO STANDARDS**

No design exceptions are necessary.

## **21. PRELIMINARY WORK ZONE TRAFFIC CONTROL**

The Highway Preconstruction Manual (HPM), Section 1400.2 sets forth the criteria for determining if a project is to be classified as a “Significant Project” for the purposes of determining the level of effort required in developing a Traffic Management Plan (TMP). Although this project contains work on roads within a Transportation Management Area they are not designated as interstate highways. Additionally these roadways have AADT’s below 30,000 vpd, and full closures with duration longer than one hour are not anticipated and greater than normal attention to traffic control will not be needed on this project. Therefore, the project is **not** considered a “Significant Project”.

The Contractor will develop a Traffic Control Plan (TCP) in accordance with the requirements of the project’s plans and special provisions.

## **22. MAINTENANCE CONSIDERATIONS**

The existing striping is surface applied and is typically restriped annually. The proposed striping shall consist of inlaid MMA pavement markings. The inlaid MMA markings will reduce the annual roadway maintenance by reducing the frequency of restriping. Annual maintenance should not be significantly impacted by this project.

## **23. MS4 COMPLIANCE**

The project does not increase the impermeable surface area throughout the project area; consequently no storm water mitigation measures are necessary.

## APPENDIX A

### Environmental Documents

State of Alaska  
Department of Transportation & Public Facilities



**CATEGORICAL EXCLUSION DOCUMENTATION FORM  
FOR FEDERAL HIGHWAY ADMINISTRATION PROJECTS**

Project Name: AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Avenue

Project Number (state/federal): 53619 / M-000S(789)

Date: April 17, 2012

CE Designation: *Include all that apply.*

23 CFR 771.117(c)(8)

23 CFR 771.117( ) ( )

List of Attachments:

Figure 1: Location and vicinity map

Figures 2 and 3 - Project Corridor

Appendix A - Section 106

Appendix B - Public and Agency Coordination

Appendix C - 4(f) / 6(f) Coordination

**I. Project Purpose and Need**

The proposed project purpose is to increase bicycle facilities and the use of bicycles for transportation in accordance with Anchorage Bicycle Plan (ABP). The need for the project is to address an identified gap in the ABP proposed Bicycle Network.

**II. Project Description**

The proposed Anchorage Metropolitan Area Transportation Solutions (AMATS) project would stripe five foot (ft) wide bike lanes along both paved shoulders of the Arctic Boulevard between Fireweed Lane and 10<sup>th</sup> Avenue (see attached Figure 1 for location and vicinity maps and Figures 2 and 3 for the proposed route). The proposed project would provide designated bike lanes for commuters along the Arctic Boulevard/West 17<sup>th</sup> Avenue/E Street corridor between Fireweed Lane and 10<sup>th</sup> Avenue. The total length of the proposed bike route is 1.2 miles. The five foot width of the proposed bike lanes is consistent with American Association of State Highway and Transportation Officials (AASHTO) *Guide for Development of Bicycle Facilities* and *Manual for Uniform Traffic Control Devices*. The proposed project would also add bike lane symbols on the roadway in the bike lanes and install bike lane and bike route signs as required. Existing sign and light poles would be utilized as much as possible to reduce sign clutter and cost. All proposed work would occur within Municipality of Anchorage (MOA) right-of-way (ROW).

**III. Environmental Consequences**

- For each yes, summarize the activity evaluated, the magnitude of the impact and the potential for significant impact based on context and intensity.
- For any consequence category with an asterisk (\*), an avoidance alternatives analysis is required. Attach avoidance alternatives analysis as appropriate.
- Include direct and indirect impacts in each analysis.

<b>A. <u>Right-of-Way Impacts</u></b>	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. Additional right-of-way required.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Permanent easements required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Estimated number of parcels: <u>NA</u>			
c. Full or partial property acquisition required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Estimated number of full parcels: <u>NA</u>			
e. Estimated number of partial parcels: <u>NA</u>			
f. Property transfer from state or federal agency required. <i>If yes, list agency in No. 4 below.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Business or residential relocations required. <i>If yes, summarize the findings of the conceptual stage relocation study in No. 4 below and attach the conceptual stage relocation study.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
h. Number of relocations: <u>NA</u>			
i. Type of relocation: Residential: <input type="checkbox"/> Business: <input type="checkbox"/> Residential (Indicate number: <u>NA</u> ) Business (Indicate number: <u>NA</u> )			
j. Last-resort housing required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the project or activity have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations as defined in E.O. 12898 (DOT Order 6640.23, December 1998)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. The project will involve use of ANILCA land that requires an ANILCA Tile XI approval. <i>If yes, the project is not assigned to the State per SAFETEA-LU Section 6004 MOU and the CE must be processed by FHWA.</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Summarize the right-of-way impacts, if any: The proposed work would occur entirely within MOA ROW with no ROW acquisitions required. The proposed project would not adversely impact minority or low-income populations since it would only establish a bike lane on existing shoulders.			

<b>B. <u>Social and Cultural Impacts</u></b>	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. The project will affect neighborhoods or community cohesion.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. The project will affect travel patterns and accessibility (e.g. vehicular, commuter, bicycle, or pedestrian).		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The project will affect school boundaries, recreation areas, churches, businesses, police and fire protection, etc.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. The project will affect the elderly, handicapped, nondrivers, transit-dependent, minority and ethnic groups, or the economically disadvantaged.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. There are unresolved project issues or concerns of a local Indian tribe [as defined in 36 CFR 800.16(m)]. <i>If yes, the project is not assigned to the State per SAFETEA-LU Section 6004 MOU and the CE must be processed by FHWA.</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Summarize the social and cultural impacts, if any: The proposed project would remedy a bicycle route gap in the ABP proposed Bicycle Network in midtown Anchorage. The proposed bicycle route would not affect neighborhood cohesion, school boundaries, recreation areas, etc. or the elderly, handicapped and others since the only changes from the proposed project would be striping and bicycle route signs and an anticipated increased number of bicyclists on the proposed route.			



**C. Economic Impacts**

N/A   YES   NO

1. The project will have adverse economic impacts on the regional and/or local economy, such as effects on development, tax revenues and public expenditures, employment opportunities, accessibility, and retail sales. ☐   ☒
2. The project will adversely affect established businesses or business districts. ☐   ☒
3. Summarize the economic impacts, if any:

The proposed bicycle route is not anticipated to have adverse economic impacts on the local or regional economy or on established businesses since established traffic patterns would not change and because adding the bicycle route and the nature of the work has minimal or no potential to affect the local or regional economies. The few businesses along the route may experience a net positive benefit from the anticipated increased number of bicyclists.

**D. Land Use and Transportation Plans**

N/A   YES   NO

1. Project is consistent with land use plan(s). ☒   ☐   ☐
  - a. Identify the land use plan(s) and date NA
2. Project is consistent with transportation plan(s). ☐   ☒   ☐
3. a. Identify the local transportation plan(s) and date.

AMATS Transportation Improvement Plan (TIP), amended September 22, 2011

4. Project would induce adverse indirect and cumulative effects. ☐   ☒
5. Summarize how the project is consistent or inconsistent with the land use plan(s) and transportation plan(s), including indirect and cumulative effects:

The proposed project would not alter existing land use. The proposed project is included in the AMATS TIP, amended September 22, 2011, section: Transportation Enhancements - Bicycle Plan Project Implementation.

**E. Impacts to Historic Properties**

N/A   YES   NO

1. Does the project qualify as a listed activity that has no potential to cause effects to historic properties? *If yes, attach concurrence from the FHWA Area Engineer (non-assigned projects) or Statewide NEPA Manager or regional Professionally Qualified Individual for 6004-assigned projects.* ☐   ☒

- a. Indicate the appropriate policy directive or memo that qualifies the project for no potential to cause effects to historic properties:

NA

2. Is a National Register of Historic Places listed or eligible property in the Area of Potential Effect? ☐   ☐   ☒
3. Date Consultation/Initiation Letters sent Not sent *Attach copies to this form. If no letters sent, explain why not in E.9.*

- a. List consulting parties SHPO, Native Village of Eklutna, Eklutna Inc., Municipality of Anchorage, CIRI

- b. If no letters were sent, explain why not The proposed project has limited potential to affect historic properties and the DOT&PF Central Region cultural

**E. Impacts to Historic Properties**

N/A   YES   NO

specialist decided to proceed directly to findings letters (see 'Proceed Directly to Findings Worksheet, Appendix A) .

4. Date "Finding of Effect" Letters sent January 12, 2012 *Attach copies to this form*  
a. State any changes to consulting parties None
5. List responding consulting parties, comment date, and summarize:  
SHPO, Native Village of Eklutna, Eklutna Inc., Municipality of Anchorage, CIRI, CIRI, Eklutna Inc. and MOA all responded with no comment to the finding letter of no historic properties affected. Native Village of Eklutna did not respond to a follow-up email requesting comments (see Appendix A).
6. Are there any unresolved issues with consulting parties? ☐ ☐ ☒  
a. If yes, list NA
7. Date SHPO concurred with "Finding of Effect" January 23, 2012 *Attach copy to this form.*
8. Will there be an adverse effect on a historic property? *If yes, attach correspondence and signed MOA. If yes, Programmatic Agreements (PCEs) do not apply.* ☐ ☐ ☒
9. Summarize any effects to historic properties. *List affected sites (by AHRS number only) and any commitments or mitigative measures. Also include any commitments or mitigative measures in Section VI.*  
The SHPO concurred with the DOT&PF finding of no historic properties on January 23, 2012.

**F. Wetland Impacts**

N/A   YES   NO

1. Project affects wetlands as defined by the U.S. Army Corps of Engineers (USACE). *If yes, document public and agency coordination required per E.O. 11990, Protection of Wetlands.* ☐\* ☒
2. Are the wetlands delineated in accordance with the "Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region (Version 2.0) Sept. 2007"? ☒ ☐ ☐
3. Estimated area of wetland involvement (acres): NA
4. Estimated fill quantities (cubic yards): NA
5. Estimated dredge quantities (cubic yards): NA
6. Is a USACE authorization anticipated? ☒ ☐ ☐  
*If yes, identify type:* NWP ☐ Individual ☐ General Permit ☐ Other ☐
7. Wetlands Finding  
*Attach the following supporting documentation as appropriate:*
- *Avoidance and Minimization Checklist.*
  - *Wetlands Delineation.*
  - *Jurisdictional Determination.*
  - *Copies of public and resource agency letters received in response to the request for comments.*
- a. Are there practicable alternatives to the proposed construction in wetlands? *If yes, the project cannot be approved as proposed.* ☒ ☐ ☐

- F. Wetland Impacts**
- |   | <u>N/A</u>                          | <u>YES</u>               | <u>NO</u>                |
|---|-------------------------------------|--------------------------|--------------------------|
| b. Does the project include all practicable measures to minimize harm to wetlands? <i>If no, the project cannot be approved as proposed.</i>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Only practicable alternative: Based on the evaluation of avoidance and minimization alternatives, there are no practicable alternatives that would avoid the project's impacts on wetlands. The project includes all practicable measures to minimize harm to the affected wetlands as a result of construction. <i>If no, the project cannot be approved as proposed.</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

8. Summarize the wetlands impacts, if any:

The proposed project is entirely on existing paved shoulders (striped bike lane) or sidewalks (signs). There are no wetlands within the project area and the project would have no ground disturbing activities.

- G. Water Body Involvement**
- |   | <u>N/A</u>                          | <u>YES</u>                 | <u>NO</u>                           |
|---|-------------------------------------|----------------------------|-------------------------------------|
| 1. Project affects a water body.  |                                     | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 2. Project affects a navigable water body as defined by USCG, (i.e. Section 9).   | <input type="checkbox"/>            | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 3. Project affects Waters of the U.S. as defined by the USACE, Section 404.   | <input type="checkbox"/>            | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 4. Project affects Navigable Waters of the U.S. as defined by the USACE (Section 10)  | <input type="checkbox"/>            | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 5. Project affects a resident fish stream (i.e. A.S. 16.14.841)   | <input type="checkbox"/>            | <input type="checkbox"/>   | <input checked="" type="checkbox"/> |
| 6. Project affects a cataloged anadromous fish stream (i.e. A.S. 16.14.871).  | <input type="checkbox"/>            | <input type="checkbox"/> * | <input checked="" type="checkbox"/> |
| 7. Project affects a designated Wild and Scenic River or land adjacent to a Wild and Scenic River. <i>If yes, the Regional Environmental Manager should consult with the Statewide NEPA Manager for 6004 (assigned CEs) or FHWA Area Engineer and FHWA Environmental Program Manager (non-assigned CEs) to determine applicability of Section 4(f).</i> |                                     | <input type="checkbox"/>   | <input checked="" type="checkbox"/> |
| 8. Proposed water body involvement: Bridge <input type="checkbox"/> Culvert <input type="checkbox"/> Embankment Fill <input type="checkbox"/> Relocation <input type="checkbox"/> Diversion <input type="checkbox"/> Temporary <input type="checkbox"/> Permanent <input type="checkbox"/> Other <input type="checkbox"/>                               | <input checked="" type="checkbox"/> |                            |                                     |
| 9. Type of stream or river habitat impacted: Spawning <input type="checkbox"/> Rearing <input type="checkbox"/> Pool <input type="checkbox"/> Riffle <input type="checkbox"/> Undercut bank <input type="checkbox"/> Other <input type="checkbox"/>   | <input checked="" type="checkbox"/> |                            |                                     |
| 10. Amount of fill below (cubic yards): OHW _____ MHW _____ HTL _____   |                                     |                            |                                     |
| 11. Summarize the water body impacts, if any:   |                                     |                            |                                     |

The proposed project is entirely on existing paved shoulders (striped bike lane) or sidewalks (signs). No ground disturbing activities would occur so there is no potential for sediment to enter waterbodies through the municipal storm sewer system. Arctic Boulevard crosses over Chester Creek but striping would be contained on the bridge.

- H. Fish and Wildlife**
- |  | <u>N/A</u>               | <u>YES</u>                            | <u>NO</u>                           |
|--|--------------------------|---------------------------------------|-------------------------------------|
| 1. Anadromous or resident fish habitat.  |                          |                                       |                                     |
| a. Database name(s) and date(s) queried: <u>Alaska Department of Fish and Game Anadromous Fish Stream Interactive Maps on Oct 12, 2011</u> |                          |                                       |                                     |
| b. Anadromous or resident fish habitat present in project area   |                          | <input checked="" type="checkbox"/> * | <input type="checkbox"/>            |
| c. Adverse effect on spawning habitat.   | <input type="checkbox"/> | <input type="checkbox"/> *            | <input checked="" type="checkbox"/> |
| d. Adverse effect on rearing habitat.  | <input type="checkbox"/> | <input type="checkbox"/> *            | <input checked="" type="checkbox"/> |
| e. Adverse effect on migration corridors.  | <input type="checkbox"/> | <input type="checkbox"/> *            | <input checked="" type="checkbox"/> |

- | <b>H. <u>Fish and Wildlife</u></b>  | <u>N/A</u>                          | <u>YES</u>                          | <u>NO</u>                           |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| f. Adverse effect on subsistence species.   | <input type="checkbox"/>            | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| <b>2. Essential Fish Habitat (EFH).</b>   |                                     |                                     |                                     |
| a. Database name(s) and date(s) queried: Essential Fish Habitat mapper, NOAA, on Oct 12, 2011   |                                     |                                     |                                     |
| b. EFH present in project area.   |                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Project proposes construction in EFH. <i>If yes, describe EFH impacts in H.5.</i>  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Project may adversely affect EFH. <i>If yes, attach EFH Assessment.</i>  | <input type="checkbox"/>            | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| e. Project includes conservation recommendations proposed by NOAA Fisheries. <i>If no, formal notification must be made to NOAA Fisheries. (Summarize the final conservation measures in No. 5 and list in Section VI).</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| <b>3. Wildlife Resources (game/subsistence species):</b>  |                                     |                                     |                                     |
| a. Project is in area of high wildlife/vehicle accidents.   |                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Project would bisect migration corridors.  |                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. Project would segment habitat.   |                                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Project would adversely affect species of concern to ADF&G. <i>If yes, attach appropriate documentation from ADF&amp;G that demonstrates the project would not result in significant adverse impacts.</i>                |                                     | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| <b>4. Bald and Golden Eagle Protection Act <i>If yes to any below, consult with USFWS and attach documentation of consultation.</i></b>   |                                     |                                     |                                     |
| a. Eagle data source(s) and date(s) : USFWS Bald Eagle Nest Atlas, December 30, 2012  |                                     |                                     |                                     |
| b. Project visible from an eagle nesting tree?  |                                     | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| c. Project within 330 feet of an eagle nesting tree?  |                                     | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| d. Project within 660 feet of an eagle nesting tree?  |                                     | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| e. Will the project require blasting or other activities that produce extreme loud noises within 1/2 a mile from an active nest?  |                                     | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |
| f. Is an eagle permit required?   |                                     | <input type="checkbox"/> *          | <input checked="" type="checkbox"/> |

Summarize fish and wildlife impacts, if any: The proposed project is in an urban area that is entirely developed. No eagle nests are within 660 feet of the project area. The proposed striping of existing shoulders and installing bicycle route signs has no potential to affect wildlife in any manner. Arctic Boulevard crosses over Chester Creek, an ADFG catalogued anadromous stream. However, only striping of the pavement shoulder on the bridge would occur and ADFG will not require a permit for the proposed project (see Appendix B). With only shoulder striping and new signs, the proposed project would have no effect on habitat or wildlife movement within or adjacent to the project corridor.

- | <b>I. <u>Threatened and Endangered Species (T&amp;E)</u></b>                               | <u>N/A</u> | <u>YES</u>               | <u>NO</u>                           |
|--|------------|--------------------------|-------------------------------------|
| 1. Database name(s) and date(s) queried: USFWS Alaska Region T&E website on March 22, 2012 |            |                          |                                     |
| 2. Listed threatened or endangered species present in the project area.                    |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Threatened or endangered species migrate through the project area.                      |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Proposed species present in project area.   |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Candidate species present in project area.  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**I. Threatened and Endangered Species (T&E)**

N/A   YES   NO

6. Project is likely to adversely affect a listed T&E species or critical habitat. *If yes, formal Section 7 consultation is required. The project is not assigned to the State per SAFETEA-LU Section 6004 MOU and the CE must be processed by FHWA.*
7. Summarize the findings of the biological assessment and the opinion of the agency with jurisdiction, or state why no biological assessment was conducted:

A search of the USFWS Alaska Region T&E website on March 22, 2012 indicated there are no threatened, endangered, proposed or candidate species or designated critical habitat within or adjacent to the proposed project area.

**J. Invasive Species**

N/A   YES   NO

1. Does the project include all practicable measures to minimize the introduction or spread of invasive species?
- a. If yes, list measures: No measures are required since all work would occur on existing paved shoulders or concrete sidewalks.
2. Database name(s) and date(s) queried: Alaska Exotic Plant Information Clearinghouse Early Detection and Distribution Mapping System on Oct 12, 2011

3. The project is consistent with E.O. 13112 (Invasive Species)

☒   ☐

4. Summarize invasive species impacts, if any:

All proposed work would occur on existing shoulder (striping) or existing sidewalks (signs fastened to existing sign posts or new sign posts). The proposed project has little, if any, potential to introduce or spread invasive species.

**K. Hazardous Waste**

N/A   YES   NO

1. Database name(s) and date(s) queried: Alaska Department of Environmental Conservation online Contaminated Sites on January 3, 2012
2. There are potentially contaminated sites within or adjacent to the existing and/or proposed ROW. ☒   ☐
3. There are identified contaminated sites within or adjacent to the existing and/or proposed ROW. ☒   ☐
4. Extensive excavation is proposed adjacent to, or within, a known hazardous waste site, or the potential for encountering hazardous waste during construction is high. *If yes, attach the hazardous waste investigation report and approved ADEC Corrective Action Plan.* ☐\*   ☒

5. Summarize the hazardous waste impacts, if any:

An open contaminated site case is located at 1309 E St. which is adjacent to the proposed project boundary. Source of contamination was a leaking underground diesel storage tank which has been removed. Contaminated soil still exists on site (latest ADEC report date is October 28, 2011) but contamination is contained within the property. According to ADEC, the potential to encounter contaminated soil from possible sign post installation along the boundary of this site is low (see attached email, Appendix B).

<b>L.     <u>Air Quality (Conformity)</u></b>	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. The project is located in an air quality maintenance area or nonattainment area (CO or PM-10 or PM-2.5). <i>If yes, indicate CO <input checked="" type="checkbox"/> or PM-10 <input type="checkbox"/> or PM-2.5 <input type="checkbox"/>, and complete the remainder of this section.</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The project is included in a conforming Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. List dates of FHWA/FTA conformity determination: <u>April 8, 2011</u>			
3. The project is exempt from an air quality analysis per 40 CFR 93.126 (Table 2 and Exempt Projects). <i>A project-level air quality conformity analysis is required for CO nonattainment and maintenance areas and a qualitative project-level analysis is required for both PM-2.5 and PM-10 nonattainment and maintenance areas.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Have there been a significant change in the scope or the design concept as described in the most recent conforming TIP and LRTP? <i>If yes, describe changes in L.8. In addition, the project must satisfy the conformity rule's requirements for projects not from a plan and TIP, or the plan and TIP must be modified to incorporate the revised project (including a new conformity analysis).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. A CO project-level analysis was completed meeting the requirements of Section 93.123 of the conformity rule. The results satisfy the requirements of Section 93.116(a) for all areas or 93.116(b) for nonattainment areas. <i>Attach a copy of the analysis.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
6. A PM-2.5 project-level air quality analysis was completed meeting the requirements of Section 93.123 of the conformity rule. The results satisfy the requirements of Section 93.116. <i>Attach a copy of the analysis.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
7. A PM-10 project-level air quality analysis was completed meeting the requirements of Section 93.123 of the conformity rule. The results satisfy the requirements of Section 93.116. <i>Attach a copy of the analysis.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
8. Summarize air quality impacts, if any: The proposed project would not generate air quality impacts other than short term impacts from operation of striping equipment and other construction equipment. The result would be a new bicycle corridor, a non-polluting mode of transportation. The project is exempt from an air quality analysis per 40 CFR 93.126 Table 2 as a pavement marking project.			

<b>M.     <u>Floodplain Impacts (23 CFR Part 650, Subpart A)</u></b>	<u>N/A</u>	<u>YES</u>	<u>NO</u>
1. Project encroaches longitudinally into the 100-year floodplain (i.e. base floodplain in fresh or marine waters). <i>If yes, public comments on the action must be requested and comments received attached. Summarize the findings in M.7. and attach the "Location Hydraulic Study" developed per 23 CFR 650.111.</i>		<input type="checkbox"/> *	<input checked="" type="checkbox"/>
2. Project encroaches into a regulatory floodway. <i>If yes, attach the "Location Hydraulic Study".</i>		<input type="checkbox"/> *	<input checked="" type="checkbox"/>
3. The proposed action would increase the base flood elevation one-foot or greater. <i>If yes, attach the "Location Hydraulic Study".</i>		<input type="checkbox"/> *	<input checked="" type="checkbox"/>
4. Is there significant encroachment as defined by 23 CFR 650.105(q)? <i>If yes, the project cannot be approved as proposed without a finding that the proposed action is the "Only Practicable Alternative" as defined in 23 CFR 650.113. Attach the finding for approval.</i>		<input type="checkbox"/> *	<input checked="" type="checkbox"/>
5. Project conforms to local flood hazard requirements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**M. Floodplain Impacts (23 CFR Part 650, Subpart A)**

N/A YES NO

6. Project is consistent with E.O. 11988 (Floodplain Protection). *If no, the project cannot be approved as proposed.*
7. Summarize floodplain impacts, if any:

The proposed project crosses the FEMA mapped Chester Creek floodplain at the location of the Arctic Boulevard bridge crossing of Chester Creek. However, a review on January 3, 2012 of the Municipality of Anchorage online Watershed Management Services, FEMA Flood Insurance Rate Map Panel 734, revised September 25, 2009, determined Arctic Boulevard, including the bridge crossing of Chester Creek, is not within a mapped 100-year floodplain.

**N. Noise Impacts (23 CFR Part 772)**

N/A YES NO

1. Does the project involve any of the following?
- a. Construction of highway on a new location.
  - b. Substantial alteration in vertical or horizontal alignment as defined in 23 CFR 772.5.
  - c. An increase in the number of through lanes.
  - d. Addition of an auxiliary lane (except a turn lane).
  - e. Addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange.
  - f. Restriping existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane.
  - g. Addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza.

☐ ☒

2. Are there noise-sensitive receivers/land uses adjacent to the proposed project?

☒ ☐

3. Identify which category of land uses are adjacent: *If any lands in Categories A through E are identified, and the response to N.1 is yes, a noise analysis is required and must be attached to this document.*

*Category A:* Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.

☐ ☐ ☒

*Category B:* Residential. *This includes undeveloped lands permitted for this category.*

☐ ☒ ☐

*Category C (exterior):* Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, daycare centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails, and trail crossings. *This includes undeveloped lands permitted for this category.*

☐ ☒ ☐

*Category D (interior):* Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios.

☐ ☒ ☐

*Category E:* Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not listed above. *This includes undeveloped lands permitted for this category.*

☐ ☒ ☐

4. Summarize the findings of the attached noise analysis, if required:  
The proposed project would only establish a bicycle route along the project corridor. Bicycles are a non-motorized mode of transportation and do not have the potential to generate a noise impact.

**O. Water Quality Impacts**

N/A      YES      NO

1. Project would involve a public or private drinking water source. *If yes, explain in O.7* ☐ ☒
2. Project would result in a discharge of storm water to a Water of the U.S. (per 40 CFR 230.3(s)) ☐ ☒
3. Project would discharge storm water into or affect an ADEC designated impaired water body. *If any of the impaired water bodies have an approved or established Total Maximum Daily Load, describe project impacts in O.7* ☐ ☒
  - a. List name(s), location(s), and pollutant(s) causing impairment:  
NA
4. Estimate the acreage of ground-disturbing activities that will result from the project?  
Less than 0.0003 acres
  - a. How much of this acreage is within a Section 404 permit area? 0
5. Is there a municipal separate storm sewer system (MS4) APDES permit, or will runoff be mixed with discharges from an APDES permitted industrial facility? ☒ ☐
  - a. If yes, list APDES permit number and type: AKS052558
6. Would the project discharge storm water to a water body within a national park or state park; a national or state wildlife refuge; or a water body designated by ADEC as Tier 3? ☐ ☒
7. Summarize the water quality impacts, if any:  
No water quality impacts are anticipated from the proposed project since only striping of existing paved shoulders and installation of new sign posts on concrete sidewalks would occur. Auger borings from installing new signposts would be removed immediately. New signposts would be installed only in the event an existing sign post could not be used or was not in the vicinity.

**P. Construction Impacts**

N/A      YES      NO

1. There will be temporary degradation of water quality. ☐ ☒
2. There will be a temporary stream diversion. ☐ ☒
3. There will be temporary degradation of air quality. ☐ ☒
4. There will be temporary delays and detours of traffic. ☒ ☐
5. There will be temporary impacts on businesses. ☒ ☐
6. There will be temporary noise impacts. ☒ ☐
7. There will be other construction impacts. ☒ ☐
8. Summarize construction impacts, if any:  
Air quality and noise impacts would be minimized by requiring the construction contractor to comply with all federal, state and local laws, regulations and ordinances for noise impacts and air quality. Traffic may be temporarily impacted during striping. Striping is expected to take less than one day. Impacts would be minimized by requiring the contractor to have a Traffic Management Plan. Businesses along the route may experience temporary access delays during striping. Since striping paint dries quickly, these delays are



not anticipated to be more than a few hours. No ground disturbing activities would occur other than augering for or mechanically driving in new signposts, if needed, on concrete sidewalks and paved shoulders. Pedestrians may be rerouted for short periods of time at locations of sign post or sign installations on existing posts.

- | <b>Q.     <u>Section 4(f)/6(f) - (23 CFR 774)</u></b>  | <u>N/A</u>               | <u>YES</u>                          | <u>NO</u>                           |
|--|--------------------------|-------------------------------------|-------------------------------------|
| 1. Project is adjacent to a Section 4(f) resource. <i>If yes, consult with the Statewide NEPA Manager for 6004 (assigned CEs) or FHWA Environmental Program Manager (non-assigned CEs) to determine applicability of "constructive use".</i> |                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. Section 4(f) properties would be affected by the proposed action. <i>Attach documentation of coordination with the land manager or agency with jurisdiction.</i>  |                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. There would be a "use" of land from 4(f) properties.  |                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. The project will require an Individual Section 4(f) Evaluation. <i>If yes, the project is not assigned to the State per SAFETEA-LU Section 6004 MOU and the CE must processed by FHWA.</i>  |                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5. Funds from the Land and Water Conservation Fund Act (LWCFA) were used for improvement to a 6(f) property.   |                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 6. The project would affect a Section 6(f) property.   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 7. Is the use of the property receiving LWCFA funds a "conversion of use" per Section 6(f) of the LWCFA? <i>Attach the correspondence received from the ADNR 6(f) Grants Administrator.</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 8. Summarize Section 4(f)/6(f) involvement, if any: <i>Attach "de minimus" finding or 4(f) evaluation, if applicable.</i>  |                          |                                     |                                     |

A search on January 10, 2012 of the Alaska Department of Natural Resources (DNR) Parks and Outdoor Recreation (DPOR) and Office of History and Archeology, National Park Service (NPS), Alaska Department of Fish and Game, USFWS Alaska Region, Wild and Scenic Rivers, and Municipality of Anchorage web pages found four 4(f) properties next to the proposed project: Margaret Egan Sullivan Park to the west of Arctic Boulevard at Chester Creek crossing; Valley of the Moon Park to the east of Arctic Boulevard at Chester Creek Crossing; Frontier Land Park at the intersection of West 11th Avenue and E Street, and Delany Park at the intersection of 10th Avenue and E Street. All are MOA parks. On January 18, 2012, Statewide Environmental concurred with DOT&PF the proposed project would have no use of any the above listed parks (see Appendix C). Delany Park received a LWCF grant in 1972. However there would not be a 6(f) conversion of use of Delany Park as result of the proposed project.

- | <b>IV.     Permits and Authorizations</b>  | <u>N/A</u> | <u>YES</u>               | <u>NO</u>                           |
|--|------------|--------------------------|-------------------------------------|
| 1. USACE, Section 404/10 <i>Includes Abbreviated Permit Process, Nationwide Permit, and General Permit</i> |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Coast Guard, Section 9  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. ADF&G Fish Habitat Permit (T16.871 and 16.841)  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Flood Hazard  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. ADEC Non-domestic Wastewater Plan Approval  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. ADEC 401  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. ADEC APDES  |            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**IV. Permits and Authorizations****N/A      YES      NO**

- |                                       |                          |                                     |
|---------------------------------------|--------------------------|-------------------------------------|
| 8. Noise                              | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Eagle Permit                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Other. <i>If yes, list below.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**V. Comments and Coordination****N/A      YES      NO**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| 1. Public/agency involvement for project. <i>Required if protected resources are involved.</i>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. Public Meetings. Date(s): <u>None</u>   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Newspaper ads. <i>Attach certified affidavit of publication as an appendix.</i><br>Name of newspaper and date: <u>Anchorage Daily News, January 19, 2012; also</u><br><u>State of Alaska online Public Notice posted January 19, 2012</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4. Agency scoping letters. Date sent: <u>NA</u>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5. Agency scoping meeting. Date of meeting: <u>NA</u>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6. Field review. Date: <u>NA</u>   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

7. Summarize comments and coordination efforts for this project. Discuss pertinent issues raised. *Attach correspondence that demonstrates coordination and that there are no unresolved issues.*

DOT&PF received no comments from the newspaper ad or the Public Notice. DOT&PF did not send agency scoping letters because no protected resources are involved. Although striping paved shoulders would occur on Arctic Boulevard crossing Chester Creek, an ADF&G anadromous cataglogued stream, ADF&G advised they will not require a permit for the proposed project (see Appendix B).

**VI. Environmental Commitments and Mitigation Measures**

List the environmental commitments or mitigation measures included in the project.

1. If contaminated or hazardous materials are encountered during construction, all work in the vicinity of the contaminated site shall be stopped until ADEC is contacted and a corrective action plan is approved by ADEC and implemented.
2. No refueling or maintaince of construction equipment or vehicles shall occur within 100 feet of Chester Creek.

**VII. Environmental Documentation Approval****N/A      YES      NO**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 1. Do any unusual circumstances exist, as described in 23 C.F.R. 771.117 (b)? <i>If yes, the CE Documentation form cannot be approved.</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|-------------------------------------|

**VII. Environmental Documentation Approval**

N/A    YES    NO

2. The State has determined that the project has no significant impacts on the environment and that the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA. The State has been assigned, and hereby certifies that it has carried out, the responsibility to make this determination pursuant to Chapter 3 of title 23, United States Code, Section 326 and the MOU dated September 22, 2009 executed between the FHWA and the State. *If no, the CE must be approved by FHWA.*

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3. The project meets the criteria of a DOT&PF programmatic agreement. *If yes, the CE may be approved by the Regional Environmental Manager and would require Statewide concurrence (see shaded block). If no, the CE may be approved by a Statewide NEPA Manager for 6004.*

☐    ☒<sup>1</sup>    ☐

If yes, identify programmatic agreement name, date, and number:  
Programmatic Categorical Exclusions for Use on Federal-Aid Highway  
Program Projects Authorized Under the State Assumption of  
Responsibilities for Categorical Exclusions Pursuant to 23 U.S.C. 326;  
approved April 23, 2009.

4. The project meets the criteria of a FHWA programmatic agreement. *If yes, the CE may be approved by the Regional Environmental Manager and would require FHWA concurrence (see shaded block). If no, the CE may be approved by FHWA Area Engineer.*

☐    ☐<sup>1</sup>    ☒

If yes, identify programmatic agreement name and date:

### VIII. Environmental Documentation Approval Signatures

Prepared by: Mark Boydston  
[Signature] Environmental Impact Analyst

Date: 4-17-2012

MARK BOYDSTON  
[Print Name] Environmental Impact Analyst

Reviewed by: Kevin Jackson  
[Signature] Engineering Manager

Date: 4/17/12

KEVIN JACKSON  
[Print Name] Engineering Manager

Approved by: Brian Elliott  
[Signature] Regional Environmental Manager

Date: 4/18/12

Brian Elliott  
[Print Name] Regional Environmental Manager

#### Assigned CE

Approved by: \_\_\_\_\_  
[Signature] DOT&PF Statewide NEPA Manager for 6004

Date: \_\_\_\_\_

\_\_\_\_\_  
[Print Name] DOT&PF Statewide NEPA Manager for 6004

#### Non-Assigned CE

Approved by: \_\_\_\_\_  
[Signature] FHWA Area Engineer

Date: \_\_\_\_\_

\_\_\_\_\_  
[Print Name] FHWA Area Engineer

<sup>1</sup> If the REM indicates that the CE meets the conditions of either a DOT&PF Programmatic Agreement (DOT&PF Statewide NEPA Manager for 6004 verifies) or a FHWA Programmatic Agreement (FHWA Area Engineer verifies) then the appropriate signature is required below:

- ☒ I concur that this project meets the conditions of the programmatic agreement.  
☐ I do not concur that this project meets the conditions of the programmatic agreement.

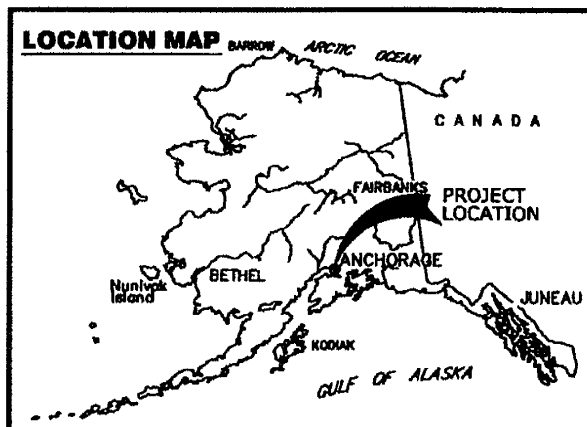
Taylor C. Horne  
[Signature] DOT&PF Statewide NEPA Manager or FHWA Area Engineer

Date: 4/18/12

Taylor C. Horne  
[Print Name] DOT&PF Statewide NEPA Manager or FHWA Area Engineer



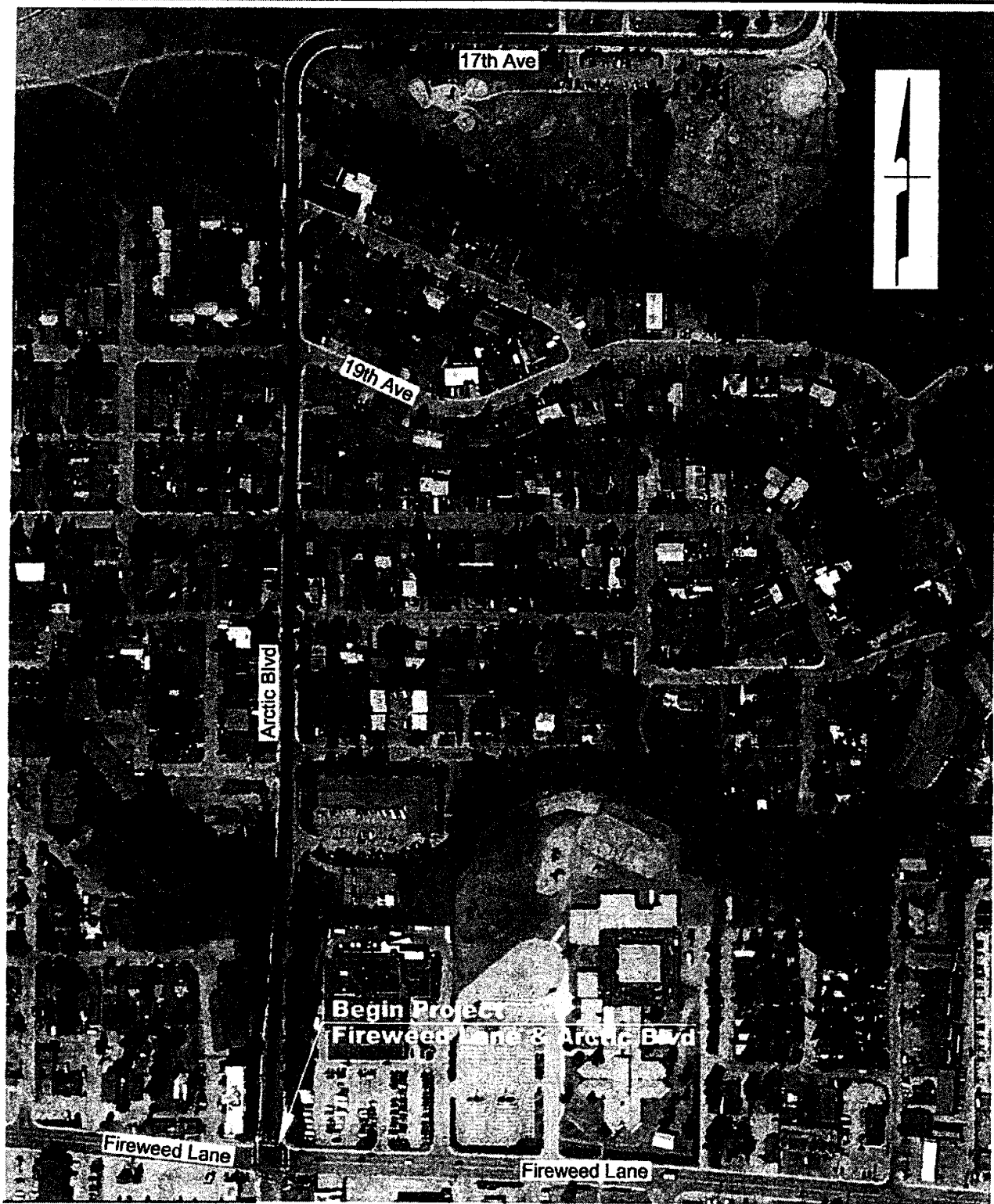
**VICINITY MAP**



AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

**LOCATION AND VICINITY MAPS**

**Figure 1**



MATCHLINE NEXT SHEET

AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

USGS: A8 NW  
Location: T13N, R3W, Sec. 13 S.M.

PLAN VIEW 1

Figure 2



MATCHLINE THIS SHEET

AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

USGS: A8 NW  
Location: T13N, R3W, Sec. 13 S.M.

PLAN VIEW 2

Figure 3

## **APPENDIX A**

### **SECTION 106 CORRESPONDENCES**

1. SHPO concurrence letter.....	1
2. Other Consulting Parties finding letters.....	6-13
3. Consulting parties responses.....	14-18
4. Proceed Directly to Findings Worksheet.....	19



T 1.23.2012

3130 IK FHWA

# STATE OF ALASKA

## DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION DESIGN AND ENGINEERING SERVICES  
PRELIMINARY DESIGN AND ENVIRONMENTAL SECTION

SEAN PARNELL, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99501-6900

PHONE: (907) 269-0542  
FAX: (907) 243-6927

OHA

In Reply Refer To:

AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10<sup>th</sup> Avenue

CM-000S(789) / 53619

No Historic Properties Affected

January 12, 2012

ATTENTION: This finding does not contain a DOE

Ms. Judith Bittner  
State Historic Preservation Officer  
Alaska Office of History and Archaeology  
550 W. 7th Avenue, Suite 1310  
Anchorage, AK 99501-3565

**No Historic Properties Affected**  
**Alaska State Historic Preservation Officer**  
Date. 1.23.2012  
File No. 3130 IK FHWA

Dear Ms. Bittner:

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), is proposing to establish bike lanes on Fireweed Lane to West 10<sup>th</sup> Ave along Arctic Boulevard, West 17<sup>th</sup> Avenue, and E Street, Anchorage, to increase bicycle facilities and the use of bicycles for transportation in accordance with Anchorage Bicycle Plan (ABP). The proposed project is located in Sec. 13, T13N, R3W, S.M., USGS Quad Map Anchorage A-8 NW (see enclosed Figure 1- Location and vicinity maps). See attached Figures 2 and 3 for an illustration of the APE (as discussed below). Pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act, DOT&PF, acting as a Federal agency, finds that no historic properties would be affected by the proposed project.

### Project Description

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### Area of Potential Effect

*"Get Alaska Moving through service & infrastructure."*

January 12, 2012

The Area of Potential Effect (APE) stretches along the project corridor from Fireweed Lane to West 10<sup>th</sup> Ave along Arctic Boulevard, West 17<sup>th</sup> Avenue, and E Street. The width of the APE encompasses from outer edge of concrete sidewalk to outer edge of sidewalk where sidewalks exist or edge of pavement shoulder to edge of pavement shoulder where sidewalks are non-existent. The APE is narrowly defined as the proposed work is limited MOA ROW and there would be no visual changes to the area.

#### Identification Efforts

DOT&PF reviewed the Alaska Heritage Resources Survey (AHRS) database on January 3, 2012 and no known sites are located within the APE. DOT&PF also reviewed the MOA Parcel Mapper on January 12, 2012, and determined that while there are a few properties located outside of the APE over 45 years in age, they will not be affected by this project.

#### Finding of Effect

No known or potential historic properties were identified within the APE. As the proposed project primarily involves the painting of the existing roadway would require only minor amounts of ground disturbance in previously disturbed areas for the placement of new signposts, DOT&PF finds that no historic properties would be affected by the proposed project.

#### Consultation Efforts

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Please direct your concurrence or comments to me at the address above, by telephone at 907-269-0535, or by email at [valerie.gomez@alaska.gov](mailto:valerie.gomez@alaska.gov).

Sincerely,



Valerie Gomez  
Cultural Resources Specialist

#### Enclosures:

- Figure 1 – Location and vicinity map
- Figures 2-3 – Direct APE and project corridor

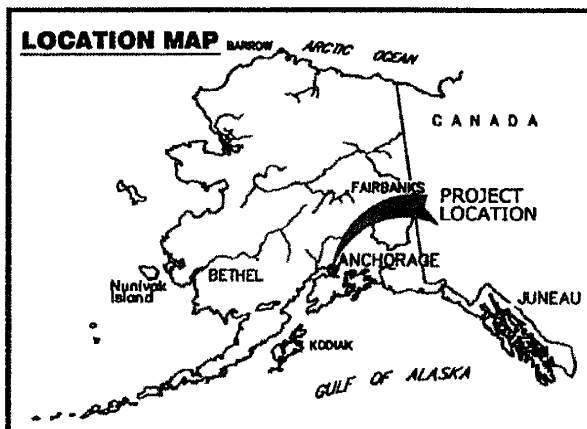
#### Electronic cc w/ enclosures:

- Kevin Jackson, P.E., DOT&PF Central Region, Project Manager
- Brian Elliott, DOT&PF Central Region, Regional Environmental Manager
- Taylor Horne, DOT&PF Statewide Environmental NEPA Manager
- Laurie Mulcahy, DOT&PF Statewide Cultural Resources Manager

Date: 1/25/12	
Proj #: 53619	
Preliminary Design & Environmental	PAPER
Section Chief	
Project Manager	
Submittal	
Submittal	
Gomez	
Project File	



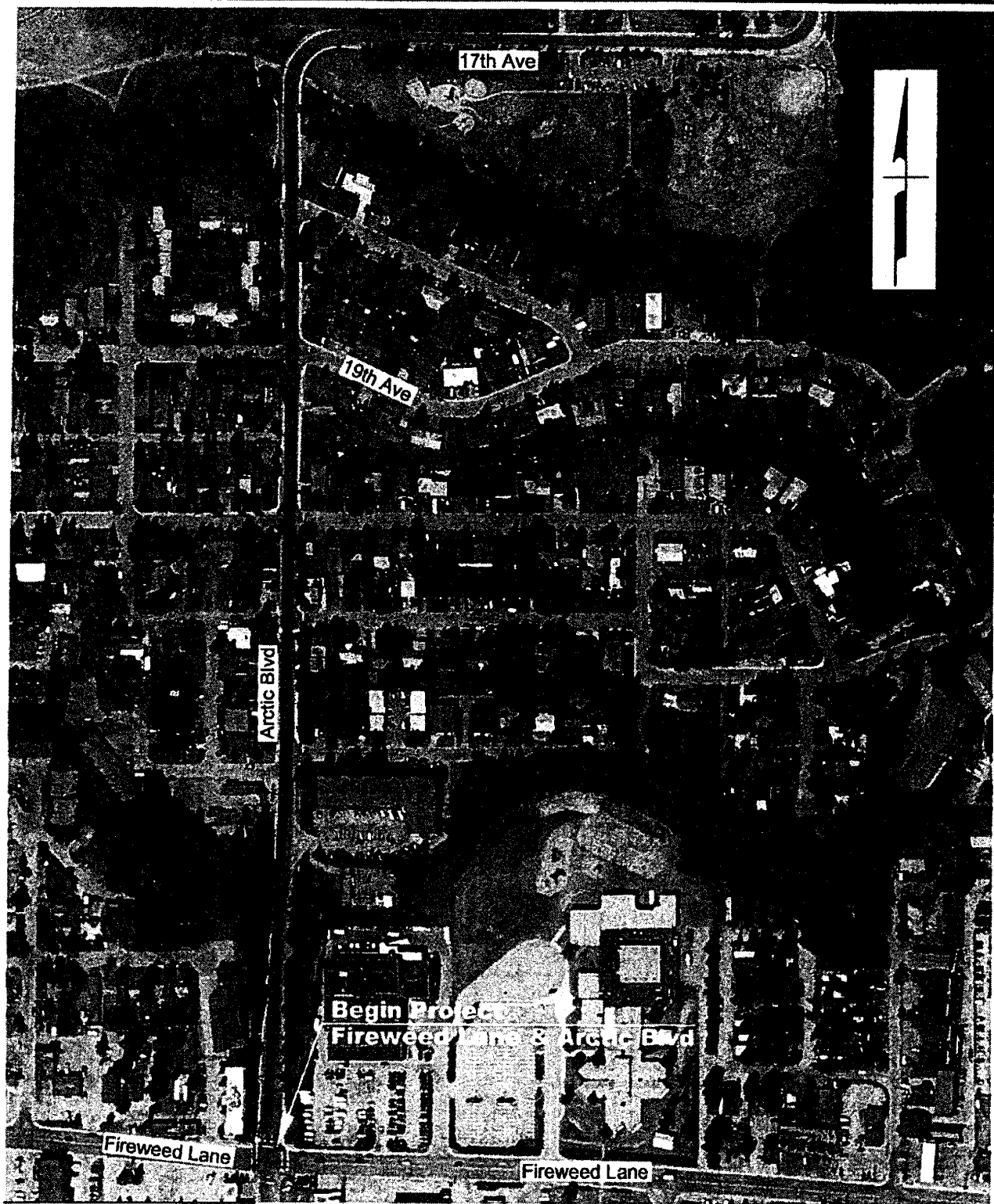
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AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

**LOCATION AND VICINITY MAPS**

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MATCHLINE NEXT SHEET

————— Area of Potential Effect

AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
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USGS: A8 NW  
Location: T13N, R3W, Sec. 13 S.M.

PLAN VIEW 1

Figure 2



MATCHLINE THIS SHEET

 Area of Potential Effect

AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

USGS: A8 NW  
Location: T13N, R3W, Sec. 13 S.M.

PLAN VIEW 2

Figure 3

# STATE OF ALASKA

## DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION DESIGN AND ENGINEERING SERVICES  
PRELIMINARY DESIGN AND ENVIRONMENTAL SECTION

SEAN PARNELL, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900

PHONE: (907) 269-0542  
FAX: (907) 243-6927

In Reply Refer To:  
AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10<sup>th</sup> Avenue  
CM-000S(789) / 53619  
No Historic Properties Affected  
January 12, 2012

Ms. Kristine Bunnell  
Senior Planner  
Municipality of Anchorage  
PO Box 196650  
Anchorage, Alaska 99519

Dear Ms. Bunnell:

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), is proposing to establish bike lanes on Fireweed Lane to West 10<sup>th</sup> Ave along Arctic Boulevard, West 17<sup>th</sup> Avenue, and E Street, Anchorage, to increase bicycle facilities and the use of bicycles for transportation in accordance with Anchorage Bicycle Plan (ABP). The proposed project is located in Sec. 13, T13N, R3W, S.M., USGS Quad Map Anchorage A-8 NW (see enclosed Figure 1- Location and vicinity maps). See attached Figures 2 and 3 for an illustration of the APE (as discussed below). Pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act, DOT&PF, acting as a Federal agency, finds that no historic properties would be affected by the proposed project.

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from outer edge of concrete sidewalk to outer edge of sidewalk where sidewalks exist or edge of pavement shoulder to edge of pavement shoulder where sidewalks are non-existent. The APE is narrowly defined as the proposed work is limited MOA ROW and there would be no visual changes to the area.

#### **Identification Efforts**

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#### **Finding of Effect**

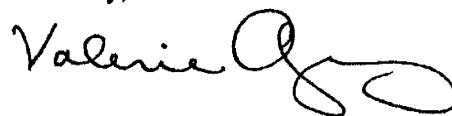
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#### **Consultation Efforts**

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If you wish to comment on this finding, I can be reached at the address above, by telephone at 907-269-0535 or by e-mail at [valerie.gomez@alaska.gov](mailto:valerie.gomez@alaska.gov). However, we respectfully request that your comments or consultation requests be received within thirty days of your receipt of this correspondence.

Sincerely,



Valerie Gomez  
Cultural Resources Specialist

#### **Enclosures:**

- Figure 1 – Location and vicinity map
- Figures 2-3 – Direct APE and project corridor

#### **Electronic cc w/ enclosures:**

- Kevin Jackson, P.E., DOT&PF Central Region, Project Manager
- Brian Elliott, DOT&PF Central Region, Regional Environmental Manager
- Taylor Horne, DOT&PF Statewide Environmental NEPA Manager
- Laurie Mulcahy, DOT&PF Statewide Cultural Resources Manager

# STATE OF ALASKA

## DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

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PRELIMINARY DESIGN AND ENVIRONMENTAL SECTION

SEAN PARNELL, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900

PHONE: (907) 269-0542  
FAX: (907) 243-6927

In Reply Refer To:  
AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10<sup>th</sup> Avenue  
CM-000S(789) / 53619  
No Historic Properties Affected  
January 12, 2012

Mr. Curtis McQueen  
CEO  
Eklutna, Inc.  
16515 Centerfield Drive  
Eagle River, Alaska 99577

Dear Mr. McQueen:

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), is proposing to establish bike lanes on Fireweed Lane to West 10<sup>th</sup> Ave along Arctic Boulevard, West 17<sup>th</sup> Avenue, and E Street, Anchorage, to increase bicycle facilities and the use of bicycles for transportation in accordance with Anchorage Bicycle Plan (ABP) The proposed project is located in Sec. 13, T13N, R3W, S.M., USGS Quad Map Anchorage A-8 NW (see enclosed Figure 1- Location and vicinity maps). See attached Figures 2 and 3 for an illustration of the APE (as discussed below). Pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act, DOT&PF, acting as a Federal agency, finds that no historic properties would be affected by the proposed project.

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4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900

PHONE: (907) 269-0542  
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In Reply Refer To:  
AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10<sup>th</sup> Avenue  
CM-000S(789) / 53619  
No Historic Properties Affected  
January 12, 2012

Ms. Margaret Brown  
President & CEO  
Cook Inlet Regional, Inc.  
2525 C Street Suite 300  
Anchorage, Alaska 99507

Dear Ms. Brown:

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), is proposing to establish bike lanes on Fireweed Lane to West 10<sup>th</sup> Ave along Arctic Boulevard, West 17<sup>th</sup> Avenue, and E Street, Anchorage, to increase bicycle facilities and the use of bicycles for transportation in accordance with Anchorage Bicycle Plan (ABP) The proposed project is located in Sec. 13, T13N, R3W, S.M., USGS Quad Map Anchorage A-8 NW (see enclosed Figure 1- Location and vicinity maps). See attached Figures 2 and 3 for an illustration of the APE (as discussed below). Pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act, DOT&PF, acting as a Federal agency, finds that no historic properties would be affected by the proposed project.

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Cultural Resources Specialist

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PHONE: (907) 269-0542  
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In Reply Refer To:  
AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10<sup>th</sup> Avenue  
CM-000S(789) / 53619  
No Historic Properties Affected  
January 12, 2012

Ms. Dorothy Cook  
President  
Native Village of Eklutna  
26339 Eklutna Village Road  
Chugiak, Alaska 99576

Dear Ms. Cook:

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), is proposing to establish bike lanes on Fireweed Lane to West 10<sup>th</sup> Ave along Arctic Boulevard, West 17<sup>th</sup> Avenue, and E Street, Anchorage, to increase bicycle facilities and the use of bicycles for transportation in accordance with Anchorage Bicycle Plan (ABP) The proposed project is located in Sec. 13, T13N, R3W, S.M., USGS Quad Map Anchorage A-8 NW (see enclosed Figure 1- Location and vicinity maps). See attached Figures 2 and 3 for an illustration of the APE (as discussed below). Pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act, DOT&PF, acting as a Federal agency, finds that no historic properties would be affected by the proposed project.

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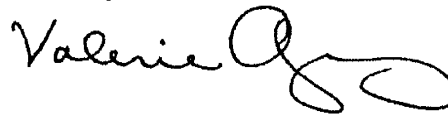
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- Laurie Mulcahy, DOT&PF Statewide Cultural Resources Manager

**From:** [Gomez, Valerie L \(DOT\)](#)  
**To:** [Boydston, Mark A \(DOT\)](#)  
**Subject:** FW: 53619 - Arctic Bike Lanes - Section 106 Consultation  
**Date:** Thursday, January 12, 2012 4:06:55 PM

---

Quickest response ever!

---

**From:** Erin Ealum [<mailto:Erin@eklutnainc.com>]  
**Sent:** Thursday, January 12, 2012 4:06 PM  
**To:** Gomez, Valerie L (DOT); Jim Arnesen  
**Subject:** RE: 53619 - Arctic Bike Lanes - Section 106 Consultation

We don't have comments on this project.

Erin E. Ealum  
Corporate Lands Project Assistant



16515 Centerfield Drive, Suite 201  
Eagle River, AK 99577  
907-696-2828 phone  
907-696-2845 fax  
907-980-7427 cell  
[erin@eklutnainc.com](mailto:erin@eklutnainc.com)  
[www.eklutnainc.com](http://www.eklutnainc.com)

---

**From:** Gomez, Valerie L (DOT) [<mailto:valerie.gomez@alaska.gov>]  
**Sent:** Thursday, January 12, 2012 3:21 PM  
**To:** Jim Arnesen; Erin Ealum  
**Subject:** 53619 - Arctic Bike Lanes - Section 106 Consultation

Jim & Erin,

Attached is the Section 106 letter for the above-referenced project for your review. If you wish to comment on this finding please feel free to contact me.

Thanks,  
Valerie

Valerie Gomez  
Cultural Resources Specialist  
Preliminary Design and Environmental  
DOT&PF, Central Region

907-269-0535 / [valerie.gomez@alaska.gov](mailto:valerie.gomez@alaska.gov)

**From:** [Dara Glass](#)  
**To:** [Gomez, Valerie L \(DOT\)](#)  
**Cc:** [Boydston, Mark A \(DOT\)](#)  
**Subject:** Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Avenue; CMS-000S(789)/53619  
**Date:** Tuesday, January 31, 2012 10:01:46 AM

---

After a review of the Finding of No Historic Properties Affected letter dated January 12, 2012, in reference to Project 53619, Cook Inlet Region, Inc., has no additional comments, concerns, or objections.

Thank you.

Dara Glass  
Land Administrator  
**COOK INLET REGION, INC. ("CIRI")**  
2525 C Street, Suite 500  
P.O. Box 93330  
Anchorage AK 99509-3330  
Direct: 907.263.5140  
Fax: 907.263.5559

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**From:** Gomez, Valerie L (DOT)  
**To:** Boydston, Mark A (DOT)  
**Subject:** FW: 53619 - Arctic Blvd Bike Lanes - Section 106 Consultation  
**Date:** Monday, January 23, 2012 7:33:54 AM

---

---

**From:** Bunnell Kristine [mailto:BunnellKR@ci.anchorage.ak.us]  
**Sent:** Friday, January 20, 2012 12:57 PM  
**To:** Gomez, Valerie L (DOT)  
**Subject:** RE: 53619 - Arctic Blvd Bike Lanes - Section 106 Consultation

Valerie,  
Please ensure that the scheduling of construction activities does not impede the morning and afternoon peak travel time traffic.

Thank you, Kristine

Kristine Bunnell  
Senior Planner | Project Manager  
Municipality Of Anchorage  
907.343.7993

---

**From:** Gomez, Valerie L (DOT) [mailto:valerie.gomez@alaska.gov]  
**Sent:** Thursday, January 12, 2012 3:22 PM  
**To:** Bunnell Kristine  
**Subject:** 53619 - Arctic Blvd Bike Lanes - Section 106 Consultation

Kristine,  
Attached is the Section 106 letter for the above-referenced project for your review. If you wish to comment on this finding please feel free to contact me.

Thanks,  
Valerie

Valerie Gomez  
Cultural Resources Specialist  
Preliminary Design and Environmental  
DOT&PF, Central Region  
907-269-0535 / valerie.gomez@alaska.gov

**From:** Gomez, Valerie L (DOT)  
**To:** [nve.ledirector@eklutna-nstn.gov](mailto:nve.ledirector@eklutna-nstn.gov)  
**Cc:** [Boydston, Mark A \(DOT\)](#)  
**Subject:** 53619 - Arctic Blvd Bike Lanes Project - Section 106 Consultation  
**Date:** Wednesday, February 29, 2012 4:05:17 PM

---

Dear Mr. Lamoreaux,

Central Region DOT&PF sent the Native Village of Eklutna a findings letter on January 12<sup>th</sup>, 2012, for the subject project. Pursuant to Section 106 of the National Historic Preservation Act, the DOT&PF, acting on behalf of FHWA, found that no historic properties would be affected by the proposed project.

Please let me know if Native Village of Eklutna has any comments or concerns with this project. I can also be reached by phone at (907)269-0535.

Thank you for your time.

Sincerely,

Valerie

Valerie Gomez  
Cultural Resources Specialist  
Preliminary Design and Environmental  
DOT&PF, Central Region  
907-269-0535 / [valerie.gomez@alaska.gov](mailto:valerie.gomez@alaska.gov)

# Section 106 Proceed Directly to Findings Worksheet

Form version:  
12-15-11

for DOT&PF SAFETEA-LU 6004 Projects

State Project #: 53619

Federal Project #: M-DOS(789)

Project Name: AMATS: Arctic Blvd Bike Lanes

## Project Description:

(Briefly describe the project, as you would in a typical consultation letter, i.e. brief and in bullet points, or as indicated per region protocol.)\*

Attach map(s) that include the project area and/or APE.

The project would stripe five foot wide bike lanes along both paved shoulders of the Arctic Boulevard, West 17th Avenue, and E Street between Fireweed Lane and 10th Avenue. The proposed project would also paint bike lane symbols within the roadway bike lanes and install bike lane and bike route signs as required. Existing sign and light poles would be utilized as much as possible to reduce sign clutter and cost of installing new sign posts. New sign posts would be installed as needed but new posts are anticipated to be the exception. The total length of the proposed bike route is 1.2 miles. All proposed work would occur within Municipality of Anchorage (MOA) right of way (ROW) on existing paved shoulders, shoulder embankments, or concrete sidewalks. Other than auguring small holes for a new sign posts, there would be no ground disturbing activities associated with the proposed project.

## Identification Efforts:

Date AHRIS database was reviewed: 1/3/12

Does preliminary research indicate any built environment properties over 45 years of age in the project APE? ☐ Yes ☒ No

Are there known potential historic properties within the APE? ☐ Yes ☒ No

(If yes, indicate why there would be no impact to historic properties. If potential historic properties may be impacted, initiation letters should be sent.)

Will a cultural resources survey be conducted for the project? (If yes, initiation letters should be sent, preferably prior to commencing the survey.) ☐ Yes ☒ No

No historic properties were identified within the APE.

Does this project directly involve any of the roads to be Treated as Eligible according to the AK Road PA? (If yes, consult with PQI.) ☐ Yes ☒ No

## Reason to proceed directly to findings:

(Check all that apply)

☐ No ground disturbance

☐ Project area previously surveyed (indicate date, project below)

☒ Ground disturbance limited to previously disturbed area

☒ No/low potential for historic built environment resources

☒ Low potential for sub-surface resources

☐ Previous SHPO consultation with No Historic Properties Affected concurrence and only slight modifications to previous consultation

☒ No/low potential for visual impacts

☐ Other (describe below)

## Briefly explain reason to proceed directly to findings:

The project consists of only minor changes to the existing roadway and very limited ground disturbance will take place where new signposts will be placed. Additionally, there will be no changes to existing viewsheds.

Analyst/Team Leader: Mark Boydston

Date Submitted: 1/11/12

☒ PQI concurs that project should proceed directly to findings consultation letter

Signature, DOT&PF Cultural Res. Professionally Qualified Individual (PQI)

Date: 1/11/2012

☐ PQI does NOT concur that project should proceed directly to findings. Initiation letters should be sent.

\* Note: Region protocols for submission format and attachments may vary.

## **APPENDIX B**

### **PUBLIC & AGENCY COORDINATION**

1. Anchorage Daily News advertisement and proof of publication.....	1
2. State of Alaska Online Public Notice (copy).....	2
3. ADEC email for potential contamination.....	3
4. ADF&G – No permit required for Chester Creek.....	4

STOF0220  
#167264  
\$660.00

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin  
being first duly sworn on oath  
deposes and says that he/she is  
a representative of the  
Anchorage Daily News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on

January 23, 2012

and that such newspaper was  
regularly distributed to its  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed

Subscribed and sworn to before

me this 11 day of Feb

20

Britney Thompson

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES

03/18/2015



## NOTICE OF INTENT TO BEGIN ENGINEERING AND ENVIRONMENTAL STUDIES

**AMATS: Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Avenue**  
Project No. 53619

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration, in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), and is proposing to provide bike lanes along Arctic Boulevard.

The proposed project will stripe bike lanes along the Arctic Boulevard, West 17th Avenue, and E Street corridor between Fireweed Lane and 10th Avenue including bicycle route pavement marking and signs installed on existing sign posts or new sign posts where necessary. The total length of the bike lane is approximately 1.2 miles (each side).

This proposed project will comply with: Section 106 of the National Historic Preservation Act; Executive Orders: 11990 (Wetlands Protection), 11988 (Floodplain Protection), 12898 (Environmental Justice), 11593 (Historic Preservation); the Clean Air Act, Clean Water Act, Fish and Wildlife Coordination Act, U.S. DOT Act Section 4(f).

Construction for the proposed project is anticipated to begin in spring 2013. To ensure that all possible factors are considered please provide written comments to the following address by February 21, 2012.

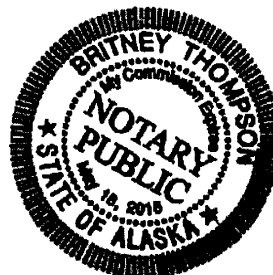
**Brian Elliott**

**Central Region Environmental Manager  
Preliminary Design & Environmental**

**Alaska Department of Transportation and Public Facilities  
P.O. Box 198900**

**Anchorage, Alaska 99519-8900**

If you have any questions or require additional information, please contact Kevin Jackson, PE, Project Manager, at 269-0641 or Mark Boydston, Environmental Impact Analyst, at 269-0624. Persons with a hearing impairment can contact DOT&PF at our Telephone Device for the Deaf (TDD) at 269-0674. We can offer reasonable accommodations for special needs related to other disabilities.



[Home](#)

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[Public]

## Online Public Notice

State of Alaska

### Public Notices Notice Of Intent To Begin Engineering & Environmental Studies: Amats – Arctic Boulevard Bike Lanes – Fireweed Lane To 10Th Avenue; Project No. 53619

Submitted by: lsshrestha/25

Date Submitted: 01/19/2012 03:54 PM

Date Modified:

Submission Mode: direct

Approve Prior To Post: n/a

Approved By: n/a

Approval Date: n/a

Attachments: No files attached

### Notice Of Intent To Begin Engineering & Environmental Studies: Amats – Arctic Boulevard Bike Lanes – Fireweed Lane To 10Th Avenue; Project No. 53619

Category: Public Notices

Publish Date: 01/19/2012

Event/Deadline Date: 02/20/2012 05:00 PM

Department: Transportation & Public Facilities

Location: Central Region

Coastal District: N/A

#### Body of Notice:

Notice of Intent to Begin Engineering & Environmental Studies

AMATS: Arctic Boulevard Bike Lanes - Fireweed Lane to 10th Avenue, Project No. 53619

The Alaska Department of Transportation and Public Facilities (DOT&PF), has assumed the responsibilities of the Federal Highway Administration, in accordance with Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), and is proposing to provide bike lanes along Arctic Boulevard.

The proposed project will stripe bike lanes along the Arctic Boulevard, West 17th Avenue, and E Street corridor between Fireweed Lane and 10th Avenue including bicycle route pavement marking and signs installed on existing sign posts or new sign posts where necessary. The total length of the bike lane is approximately 1.2 miles (each side).

This proposed project will comply with: Section 106 of the National Historic Preservation Act; Executive Orders: 11990 (Wetlands Protection), 11988 (Floodplain Protection), 12898 (Environmental Justice), 11593 (Historic Preservation); the Clean Air Act, Clean Water Act, Fish and Wildlife Coordination Act, U.S. DOT Act Section 4(f).

Construction for the proposed project is anticipated to begin in spring 2013. To ensure that all possible factors are considered please provide written comments to the following address by February 20, 2012.

Brian Elliott  
Regional Environmental Manager  
Preliminary Design & Environmental  
Alaska Department of Transportation and Public Facilities  
P.O. Box 196900  
Anchorage, Alaska 99519-6900

If you have any questions or require additional information, please contact Kevin Jackson, P.E., Project Manager, at 269-0641 or Mark Boydston, Environmental Impact Analyst, at 269-0524. Persons with a hearing impairment can contact DOT&PF at our Telephone Device for the Deaf (TDD) at 269-0674. We can offer reasonable accommodations for special needs related to other disabilities.

**From:** Weimer, Robert M (DEC)  
**To:** Boydston, Mark A (DOT)  
**Subject:** RE: proposed Arctic Boulevard Bike Lane - Fireweed Ave to 10th Ave  
**Date:** Tuesday, January 24, 2012 9:55:14 AM

---

Mark,

Sorry it took so long to get back to you on this. The contamination at the site is near the building. Base on the information in our files I would not expect you to encounter contamination at the street sidewalk.

Robert

---

**From:** Boydston, Mark A (DOT)  
**Sent:** Tuesday, January 03, 2012 10:52 AM  
**To:** Weimer, Robert M (DEC)  
**Subject:** proposed Arctic Boulevard Bike Lane - Fireweed Ave to 10th Ave

Robert:

This proposed project would be striping existing shoulders along E Street between West 17<sup>th</sup> and 10<sup>th</sup> Avenues (see attached location and vicinity map and proposed bicycle route maps). Also, new bike lane sign posts may be installed along the route by drilling through the sidewalk. The exact location of any new signposts has not yet been determined by MOA, but there is an open site located at 1309 E street (see attached chronology report).

I am writing the environmental document for this project and need to know if installing a new sign post on the sidewalk adjacent to this property would pose a risk for encountering contaminated soils? I cannot determine this from the chronology report. If there is a risk, can you say what level - negligible, moderate, etc?

Mark Boydston  
Environmental Impact Analyst II  
Preliminary Design and Environmental  
DOT&PF  
(907) 269-0524

**From:** Bales, James E (DFG)  
**To:** Boydston, Mark A (DOT)  
**Subject:** RE: Arctic Boulevard - Fireweed to 10th Avenue  
**Date:** Tuesday, January 03, 2012 11:18:41 AM

---

Hi Mark,

The painting project that you described will not require a Fish Habitat Permit. Thanks for checking.

Jim Bales, Habitat Biologist  
Alaska Department of Fish and Game  
Division of Habitat  
333 Raspberry Road  
Anchorage, AK 99518  
(907) 267-2143

---

**From:** Boydston, Mark A (DOT)  
**Sent:** Tuesday, January 03, 2012 9:19 AM  
**To:** Bales, James E (DFG)  
**Subject:** Arctic Boulevard - Fireweed to 10th Avenue

Hi Jim:

Happy new year. The subject project would stripe the existing shoulders and possibly paint a bicycle lane sign on the pavement of Arctic Boulevard on the Chester Creek bridge (see attached photos). That is the sum total of the work on the Chester Creek Bridge.

Will you require a FHP for the proposed work?

Mark Boydston  
Environmental Impact Analyst II  
Preliminary Design and Environmental  
DOT&PF  
(907) 269-0524



## **APPENDIX C**

### **SECTION 4(f) / 6(f) CONSULTATION**

Statewide Concurrence email and figures

**From:** [Horne, Taylor C \(DOT\)](#)  
**To:** [Boydston, Mark A \(DOT\)](#); [Elliott, Brian A \(DOT\)](#)  
**Cc:** [Horne, Taylor C \(DOT\)](#)  
**Subject:** SEO Concurrence RE: 53619 Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Ave / Statewide 4(f) / 6(f) consultation  
**Date:** Wednesday, January 18, 2012 8:57:48 AM  
**Attachments:** [image001.png](#)

---

Hello Brian and Mark,

**4(f) Applicability Determination**

Based on the information provided below, I agree that the **53619 Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Ave** project will not constitute a use of Margaret Eagan Sullivan Park, Valley of the Moon Park, Frontier Land Park, Delany Park (aka Park Strip) , 4(f) protected resources.

*"The proposed project will not use property from a Section 4(f) resource. DOT&PF has determined that Section 4(f) does not apply."*

Please ensure a copy of this email is placed in the project file.

Thank you,

Taylor C. Horne  
NEPA Program Manager  
Alaska Department of Transportation and Public Facilities  
3132 Channel Drive, P.O. Box 112500  
Juneau, Alaska 99811-2500  
Phone: (907) 465-6957 FAX: (907) 465-2460

---

**From:** Boydston, Mark A (DOT)  
**Sent:** Wednesday, January 18, 2012 8:40 AM  
**To:** Horne, Taylor C (DOT)  
**Subject:** FW: 53619 Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Ave / Statewide 4(f) / 6(f) consultation

Taylor:

I made the edits you suggested. See email below.

Mark Boydston  
Environmental Impact Analyst II  
Preliminary Design and Environmental  
DOT&PF  
(907) 269-0524

---

**From:** Boydston, Mark A (DOT)  
**Sent:** Tuesday, January 17, 2012 4:08 PM  
**To:** Horne, Taylor C (DOT)

**Cc:** Elliott, Brian A (DOT)

**Subject:** 53619 Arctic Boulevard Bike Lanes: Fireweed Lane to 10th Ave / Statewide 4(f) / 6(f) consultation

Taylor:

The purpose of this email is to obtain your approval the proposed project would have no 4(f) use or 6(f) conversion of use of the four Municipality of Anchorage (MOA) parks described below. Please contact Brian Elliott or Mark Boydston if you have any questions. Also, Brian Elliott approved forwarding this email to you.

**AMATS Arctic Boulevard Bicycle Lanes – Fireweed Avenue to 10<sup>th</sup> Avenue**

**Project No.: 53619 / CM-000S(789)**

**RE: 4(f) / 6(f) consultation for potential use of four Municipality of Anchorage Parks**

Class of Action

On February 10, 2010 Statewide concurred with DOT&PF CR the proposed project satisfies the criteria of 23 CFR771.117(c)(8) and it was assignable to the State per the MOU for 6004.

Project Description

The proposed Anchorage Metropolitan Area Transportation Solutions (AMATS) project would stripe five foot (ft) wide bike lanes along both paved shoulders of Arctic Boulevard between Fireweed Lane and 10th Avenue (see attached Figure 1 for location and vicinity maps and Figures 2 and 3 for the proposed route). The total length of the proposed bicycle route is 1.2 miles. The five ft width of the proposed bike lanes is consistent with American Association of State Highway and Transportation Officials (AASHTO) Guide for Development of Bicycle Facilities and Manual for Uniform Traffic Control Devices. The proposed project would also add bike lane symbols on the roadway in the bike lanes and install bike lane and bike route signs as required. Existing sign and light poles would be utilized as much as possible to reduce sign clutter and cost involved with installing new sign posts. All work would occur within MOA right of way (ROW).

4(f) Resources

A search on January 10, 2012, of the Alaska Department of Natural Resources Parks and Outdoor Recreation and Office of History and Archeology, National Park Service (NPS), Alaska Department of Fish and Game, USFWS Alaska Region, Wild and Scenic Rivers, and Municipality of Anchorage web pages found four 4(f) properties next to the proposed project: Margaret Eagan Sullivan Park to the west of Arctic Boulevard at Chester Creek crossing; Valley of the Moon Park to the east of Arctic Boulevard at Chester Creek Crossing; Frontier Land Park at the intersection of West 10th Avenue and E Street, and

Delany Park (aka Park Strip) at the intersection of 10th Avenue and E Street (see attached Figure 4 for a location map of the parks). All are MOA parks managed by the Division of Parks and Recreation.

Functions, activities and qualities of Margaret Eagan Sullivan Park, Valley of the Moon Park, Frontier Land Park, and Delany Park

- Margaret Eagan Sullivan Park - Located to the west of Arctic Boulevard at Chester Creek, the functions and activities of this park are multiuse trails, ice skating on Westchester Lagoon in the winter, wildlife viewing, a walkway and informational signs for viewing salmon runs up Chester Creek, a children's playground, picnic tables, non-motorized boating on Westchester Lagoon, and a Frisbee golf course. One of the qualities of this park is Westchester Lagoon, an attractant for waterfowl.
- Valley of the Moon Park - Located to the east of Arctic Boulevard at Chester Creek Park, this park has the following functions and activities: The Chester Creek greenbelt multi-use trail passes through the park, a children's playground, picnic and barbecue facilities including covered barbecue and picnic table areas, and grass playgrounds for such activities as baseball and soccer. One of the qualities of this park is its setting in a highly urbanized area.
- Frontier Land Park - Located on the southwest quadrant of the intersection of 10<sup>th</sup> Avenue and E Street this is a small park with children's playgrounds and a few picnic tables. One of the qualities of this park is its setting in a highly urbanized area.
- Delany Park - This park is located between E and P Streets (east to west) and West 9<sup>th</sup> and 10<sup>th</sup> Avenues (north to south). This park has benches and some picnic tables but is mainly used for amateur sports, music concerts, and festivals. One of the qualities of this park is its large area in downtown Anchorage.

4(f) Use analysis for permanent incorporation of land into a transportation facility and temporary occupancy – 23 CFR 774.17

No property from the four MOA parks described above would be permanently incorporated into a transportation facility. Also, no temporary occupancy of any of these four parks would occur as a result of the proposed project. All striping work would occur on paved shoulders within MOA ROW. If new sign posts are needed, they would be installed on concrete sidewalks or on existing road shoulders which are also within MOA ROW.

4(f) constructive use analysis - 23 CFR 774.15

A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under

Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished.

-

#### Analysis of proximity impacts on the four above mentioned MOA parks

According to 23 CFE 774.15(e)(1-5), the following five proximity impacts could cause substantial impairment and therefore a constructive use of four MOA parks next to the proposed project.

1. Noise – Addition of bicycle lanes along the proposed project corridor would not generate any noise impacts on the four MOA parks described above since bicycles are a non-motorized mode of transportation.
2. Esthetic features – The striping of existing paved shoulders, adding new signs or sign posts, and the presence of bicycles on the proposed route would create no esthetic impairments to the above four mentioned parks. Signs and sign posts exist along the MOA streets and within these parks. New signs or sign posts would not cause an adverse esthetic impact to any of the four parks.
3. Restriction of access – no restriction of access would occur at any of the four parks from the proposed project since no access would be altered.
4. Vibration – Bicycles on the proposed bicycle route are not capable of generating a vibration impact.
5. Ecological intrusion – None of the above parks is a designated waterfowl or wildlife refuge. Striping, signs and signposts, and bicyclists using the path would not substantially diminish waterfowl use of Westchester Lagoon since the area is already impacted by nearby traffic on Minnesota Drive, a four lane street, existing housing development on the shores of the Lagoon, and existing activities of the Margaret Eagan Sullivan Park listed above. All the four parks are utilized by wildlife such as moose and Canadian geese. The proposed bicycle route would not cause any additional existing ecological intrusion since the bicycle route is in a heavily urbanized area and contained entirely on existing roads with high daily traffic counts.

-

#### Conclusion

The above analyses shows the proposed project would have no 4(f) use of Margaret Eagan Sullivan Park, Valley of the Moon Park, Frontier Land Park, or Delany Park as defined in 23 CFR 774.17.

#### 6(f) Resources

A search on January 10, 2012 of the NPS Land and Water Conservation Fund grant records for the MOA showed only Delany Park received a LWCF grant in 1972. However, no conversion of use Delany Park would occur as a result of the proposed project.

#### Attachments:

Figure 1 – Proposed project location and vicinity maps

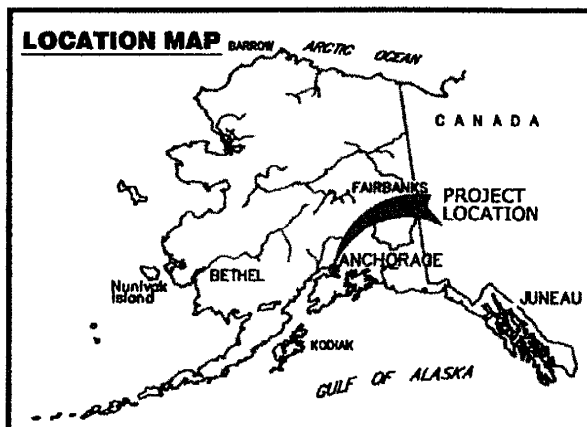
Figure 2-3 – Project corridor

Figure 4 – Location of MOA parks adjacent to the proposed project corridor

Mark Boydston  
Environmental Impact Analyst II  
Preliminary Design and Environmental  
DOT&PF  
(907) 269-0524



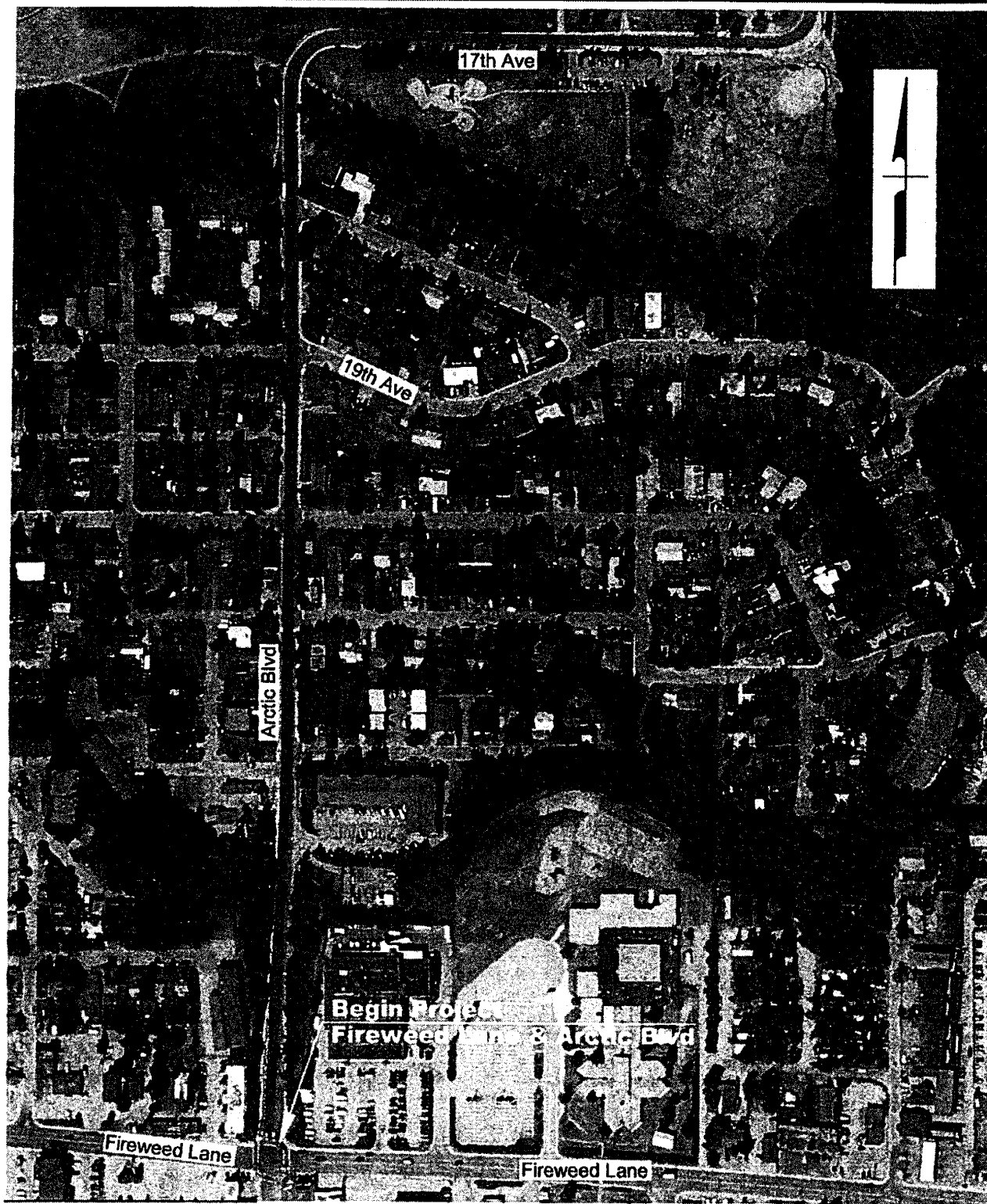
**VICINITY MAP**



AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

**LOCATION AND VICINITY MAPS**

Figure 1



MATCHLINE NEXT SHEET

AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

USGS: A8 NW  
Location: T13N, R3W, Sec. 13 S.M.

PLAN VIEW 1

Figure 2





MATCHLINE THIS SHEET

AMAATS Arctic Blvd. Bicycle Lanes  
Fireweed Avenue to 10th Avenue  
Project No. 53619

USGS: A8 NW  
Location: T13N, R3W, Sec. 13 S.M.

PLAN VIEW 2

Figure 3

[illegible]

Mr. Bailey, President, August, 2002

## APPENDIX B

August 6, 2013 AMAT's  
Work Session Meeting Notes



# Memorandum

**To:** file

**From:** Nichole Rehm, PE, Project Administrator  
Professional & Technical Services, Inc.

**Date:** August 6, 2013

**Re:** 10-56 (53619) Arctic Blvd Bike Lanes – Fireweed Lane to 10<sup>th</sup> Ave  
AMATS Worksession

---

A worksession was held at 3:00 pm in the Main Training Room within MOA's Permit center at 4700 Elmore Drive to discuss the Arctic Blvd Bike Lanes striping plan. This project is part of the Anchorage Bicycle Plan (ABP) adopted by Anchorage Metropolitan Transportation Solutions (AMATS) in 2010. Participants included members of AMATS, the AMATS Bicycle and Pedestrian Advisory Committee, Parks and Recreation, and Community Bicyclists. See the attached sign-in sheet for a full list of attendees.

The purpose of the meeting was to discuss the options and solutions for providing inlaid methylmethacrylate (MMA) bicycle lane markings along Arctic Boulevard from Fireweed Lane to 10<sup>th</sup> Avenue; more specifically, to discuss the impacts to existing on-street parking along 17<sup>th</sup> Avenue adjacent to the Valley of the Moon Park. Parking frequently overflows onto 17<sup>th</sup> Avenue. Consequently, there is insufficient road width to provide the proposed 5-foot bicycle lanes along this section of the project corridor. There is sufficient road width to accommodate 5-foot bicycle lanes on Arctic Blvd from Fireweed Lane to 17<sup>th</sup> Avenue, and along E Street from 17<sup>th</sup> Avenue north to 10<sup>th</sup> Avenue since on street parking is not permitted in these sections.

Options for bike lane striping along 17<sup>th</sup> Avenue:

- Option 1: Widen 17<sup>th</sup> Avenue south to allow room for on-street parking and 5-foot bicycle lanes.
  - Discussion: There is insufficient right-of-way to widen 17<sup>th</sup> Avenue to the south; therefore parking would encroach on Municipal park land creating a 4F issue. Therefore the work necessary to widen the road would have to be done as a different project (could not use the funding available for the Arctic Blvd Bike Lanes Striping project). Also, it is believed that a portion of these lands were developed under the Land Water Conservation Fund (LWCF). Adding parking to lands developed under LWCF may require a conversion of the land (Tom Korosei of Parks and Recreation to follow up with LWCF research).
- Option 2: Replace the existing ball field with expanded on-property parking
  - Discussion: Park users currently use the ballfield as an "ad hoc" dog park, and would like it to be a designated dog park.

- Option 3: Provide 5-foot striping lanes along Arctic Blvd and E Street with a transition section to a shared road section on 17<sup>th</sup> Avenue.
  - Discussion: Must provide transition signage to alert vehicles and bicyclists to the transition section onto 17<sup>th</sup> Avenue. Once in the transition section there would be signage alerting vehicles to “Share the Road” with bicyclists and “sharrow” markings would be striped at intervals on 17<sup>th</sup> Avenue. There would then need to be signage to alert vehicles and bicyclists to the transition back to a bike lane as they approach Arctic Blvd and E Street. The transition signage should occur at 15<sup>th</sup> for southbound traffic and 19<sup>th</sup> for northbound traffic.

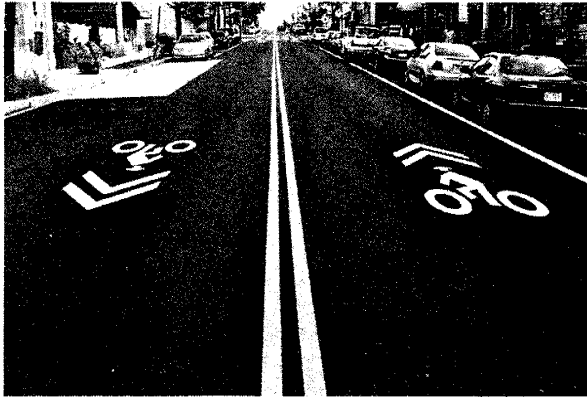
Additional concerns and issues with adding 5-foot bicycle lanes along this project corridor:

- There are 2 bus stops on 17<sup>th</sup> Avenue - one east of the parking lot and one on the north side of 17<sup>th</sup> Avenue east of the alley.
- Many bicyclists traveling southbound on E Street attempt to traverse this street to access a trail on the east side of the existing ballfield. This creates a hazardous condition for bicyclists and traffic. One suggestion was to remove the trail access at this location and make all bicycle and pedestrian traffic access the Park and Chester Creek greenbelt trail via the designated parking lot driveways. Another suggestion was placing signage to negate crossing to the trail at this corner.

Questions:

1. Question: who owns the lands to the east of Valley of the Moon park and to the northwest of 17<sup>th</sup> Avenue? Could additional parking be constructed there?  
Response: Funds to construct on-property parking are not available to the Parks and Recreation Department at this time. There is \$1 million programmed for all bike plan projects in Anchorage and widening 17<sup>th</sup> Avenue and/or constructing on property parking would use most of that appropriation. The scope of this project is to provide bicycle striping and signage on Arctic Boulevard.
2. Why not route bike traffic to the Chester Creek trail south of 17<sup>th</sup> Avenue at Arctic Blvd, then route traffic from the Chester Creek trail north to E Street avoiding 17<sup>th</sup> Avenue?  
Response: The purpose of the ABP is to improve the bicycle network for bicycle commuters, not recreational users and routing bicyclists off of the streets onto greenbelt trails does not meet the purpose and need of the ABP in this location.
3. Should the road section be repaved due to frequent cracks and seams? The design engineer, HDL, assumed the striping would be surface applied, and would not recommend inlaying 17<sup>th</sup> Avenue prior to repaving.  
Response: Stephanie Mormilo has concerns that surface applied paint will not last one year. Sharrow templates will need to be ordered for the paint & sign shop.

Summary: After discussion of the options, general consensus for the project is to move forward with Option 3, with no repaving of 17<sup>th</sup> Avenue.



Example of Sharrows



**Municipality of Anchorage**  
**Project Management & Engineering Department**  
**4700 Elmore Rd.**  
**Anchorage, AK 99507**

Project Name: Arctic Blvd Bike Lane Striping Project No. 10-56 (ADOT 53619)  
 Meeting Topic: Design Opportunity Worksession Date: 8/6/13  
 Meeting held at: MOA Time: 3:00 p.m.

	NAME (please print)	COMPANY	PHONE	E.MAIL
1	STEVE RIBUFFO	PORT	343-6203	RibuffoS@muni.org
2	BRAND LINDAMOOD	AERC	265-3095	lindamoodb@akrr.com
3	Bart Rudolph	DOT	269 0515	
4	Woni Wilm	MOA	343.7957	wilmj@muni.org
5	Robert Shipley	self		reship@gci.net
6	KEVIN JACKSON	ADOT	269 0641	kevin.jackson@alaska.gov
7	Karen Wilber	Transit	343 8484	wilberk@alaska.gov
8	HOLLY SPOTH-TORRES	PER	X 4585	
9	RANAY BIERGT	TRANSIT	X 8285	bergf@alaska.gov
10	Tina Tomsen	AMAB BRAC		trt190987@gci.net
11	Lori Schanche	MCA	8368	Schanchele@a1
12	Heather Philp	ASD	742-1211	Philp-heather@asdkr
13	RODNEY RUCKOL	ASD	742-1219	Ruckol-Rodney@asdkr.org
14	Lesley Lepley	DOWLHKM	562-2000	llepley@downhkm.com
15	DENNIS LUNNELL	HDL	564-2120	DUNNELL@HDLALASKA.com
16	NICK OLIVEIRA	HDL	564-2120	NOLIVEIRA@HDLALASKA.com
17	Stephanie Mormilo	Traffic	343-8070	mormilos@muni.org
18	Karen Norton	ADOT	269-0500	Karen.Norton@alaska.gov
19	Steve Morris	MOA-HHS	343-6976	
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### **Project Scope of Work**

ADOT&PF is proposing to install striping to delineate 11-foot wide vehicle lanes and 5-foot wide bicycle lanes, measured from lip of curb to shoulder stripe, in both directions along Arctic Boulevard and E Street. A shared vehicle-bicycle lane will also be marked on 17th Avenue to reduce the impact on parking adjacent to the Valley of the Moon Park (see attached plan set). The markings shall be inlaid Methyl Methacrylate (MMA). It is anticipated that all the striping throughout the project area will be restriped with inlaid MMA. Signs shall also be installed throughout the project area to help delineate the bicycle corridor.

The bicycle lanes will reduce the need for bicyclists to share facilities with vehicles or pedestrians on Arctic Boulevard and E Street. The shared lane markings on 17th Avenue will provide delineation to both vehicles and bicyclists that the lane can be occupied by both users. It will also delineate a designated bicycle route and provide the northbound-southbound route shown in the Alaska Bicycle Plan (ABP).

The width of the roadway and the number of lanes at the Arctic Boulevard/ Fireweed Lane and E Street/ 15th Avenue intersections prohibit the addition of bicycle lanes through the intersection.

The northbound-southbound bicycle lanes will transition into shared vehicle-bicycle lanes at the beginning of the left turn auxiliary lane taper. The bicycle lanes will begin again at the end of the opposite left turn auxiliary lane taper at the E Street/ 15th Avenue intersection.

### **Project Purpose and Need**

The purpose of this project is to increase bicycle facilities and the use of bicycles for transportation in accordance with the ABP. The need for the project is to address an identified gap in the ABP proposed Bicycle Network. This corridor is shared by motorists, bicyclists, and pedestrians. The existing 4-5 foot wide sidewalks do not provide adequate width for pedestrians and bicyclists to share these facilities. Adding a bicycle lane would give bicyclists a designated area to travel within the roadway and reduce the conflicts between bicyclists and pedestrians or vehicles.

### **Control Measures**

Erosion control measures will be implemented through the use of a pavement grinding machine equipped with a vacuum and storm drain inlet protection. According to Section AK-19 in the ADOT's *Examples of Best Management Practices*, inlet protection is a temporary filtering measure placed around a drop inlet or curb inlet to trap sediment and prevent the sediment from entering the storm drain system. This measure is employed where storm drain inlets are to be made operational before permanent stabilization of the disturbed area, where a permanent storm drain structure is being constructed on site and there is potential for sediment accumulating in an inlet, and where ponding of storm water around the inlet structure could be a problem to the traffic on site.

There are several types of sediment filters applicable for different conditions keeping in mind whether traffic will be present. The type of sediment filter to be used for the proposed project is a catchbasin insert: a "sock" or "witches hat" that fits inside the structure and filters sediment.



### **Conclusion**

This project is not expected to be controversial or have any significant impacts to the natural or manmade environment. The project includes temporary measures to prevent waterway and soil contamination from construction materials and debris. The contractor will prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to construction that follows the guidelines of the Erosion Sediment Control Plan (ESCP) memo provided to the contractor. The contractor will submit the SWPPP for approval by the Department's Environmental Section. The contractor shall conduct construction activities in accordance with the approved SWPPP. The existing roadway surface and drainage ditches will, at all times, be protected by utilization of proper environmental procedure in accordance with the projects approved SWPPP.

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GENERAL EROSION AND SEDIMENT CONTROL NOTES:

1. EROSION AND SEDIMENT CONTROL DETAILS ARE CONCEPTUAL ONLY. COMMERCIALY AVAILABLE TREATMENTS OR ALTERNATE EROSION AND SEDIMENT CONTROL DESIGNS MAY BE SUBSTITUTED WITH APPROVAL BY THE ENGINEER. AS A MINIMUM REQUIREMENT THE PROJECT WILL FOLLOW BMPS ACCORDING TO THE ALASKA STORM WATER GUIDE.
2. REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL FEATURES AFTER PROJECT HAS BEEN COMPLETED.
3. EROSION AND SEDIMENT CONTROL MEASURES WILL BE EVALUATED BY THE ENGINEER BASED ON EFFECTIVENESS. THOSE FOUND INEFFECTIVE MUST BE REPLACED OR REPAIRED WITHIN 24 HOURS FOLLOWING NOTIFICATION.

REVISIONS			STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
NO.	DATE	DESCRIPTION					
			ALASKA	M-000S(789)/53619	2014	Q1	Q7

619(10)

MANUFACTURED INLET PROTECTION SYSTEMS				
SHEET	STATION	OFFSET	QUANTITY (EA)	REMARKS
Q3	17+68	16 RT	1	
Q3	17+98	41 RT	1	
Q3	18+30	41 RT	1	
Q3	21+18	48 RT	1	
Q4	29+96	38 RT	1	
Q4	30+45	15 RT	1	
Q4	30+46	17 LT	1	
Q4	36+48	17 RT	1	
Q5	40+77	16 LT	1	
Q5	44+75	16 LT	1	
Q5	44+75	16 RT	1	
Q6	53+47	15 RT	1	
Q6	53+48	18 LT	1	
Q6	56+28	15 RT	1	
Q6	56+81	29 LT	1	
Q6	60+60	16 LT	1	
Q6	60+60	15 RT	1	
Q7	67+11	16 RT	1	

LEGEND

INLET PROTECTION (AK-19)

PRE-PS&E REVIEW 9/13/2013

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

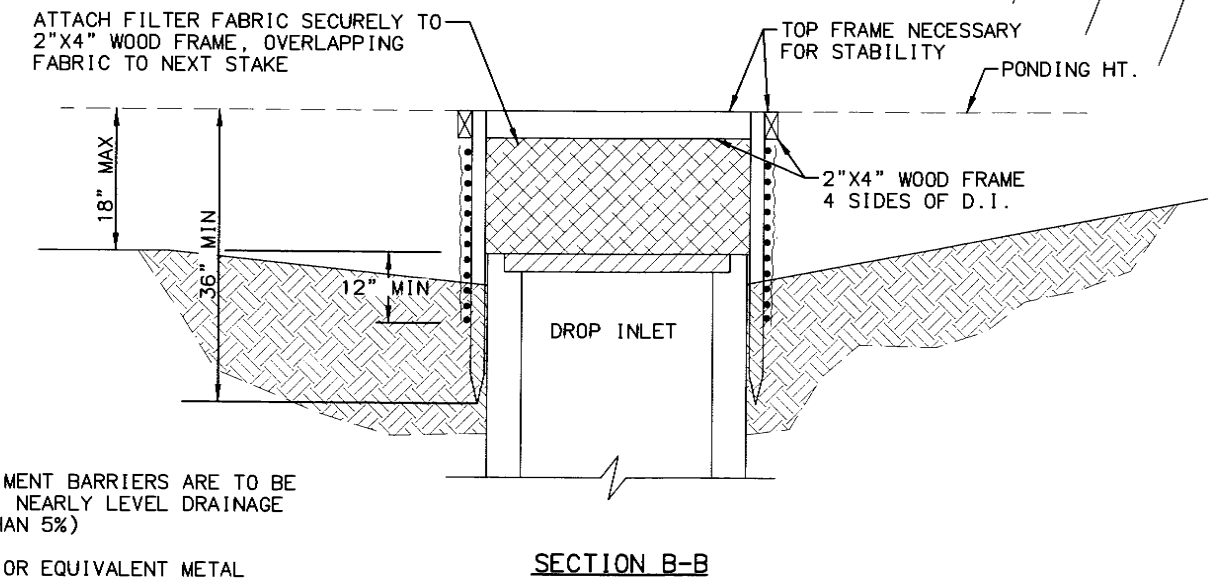
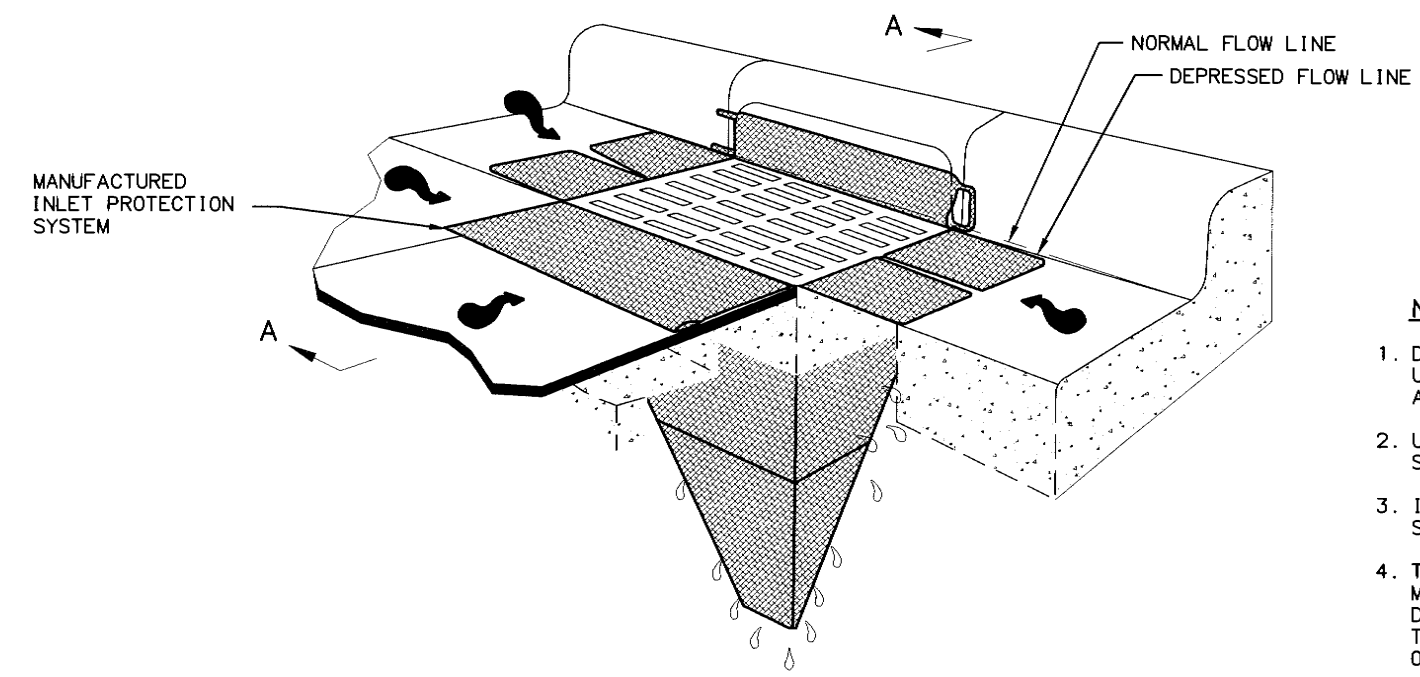
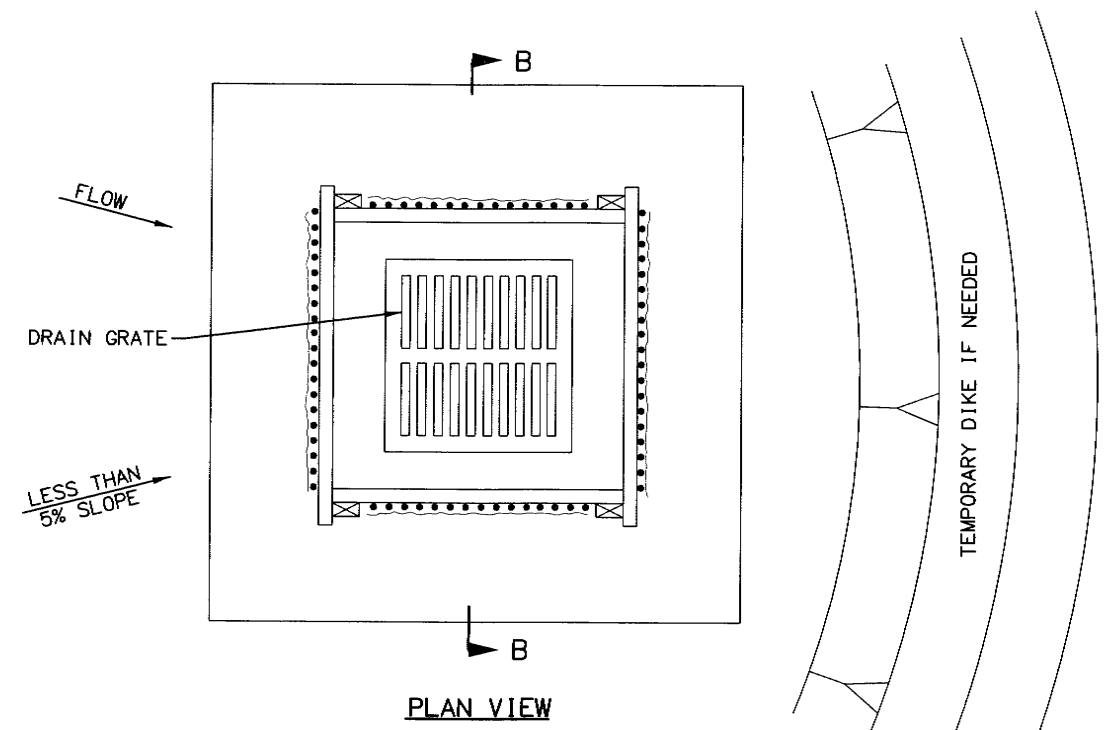
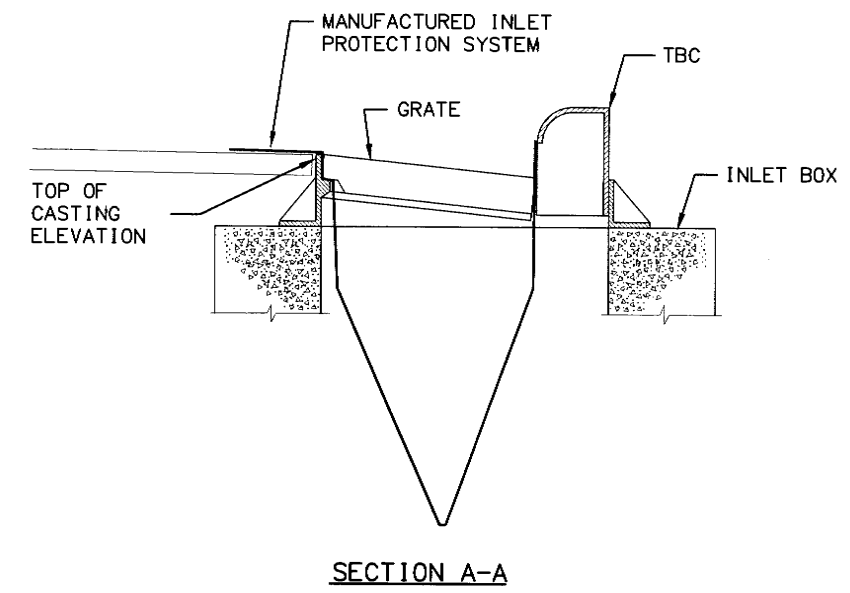
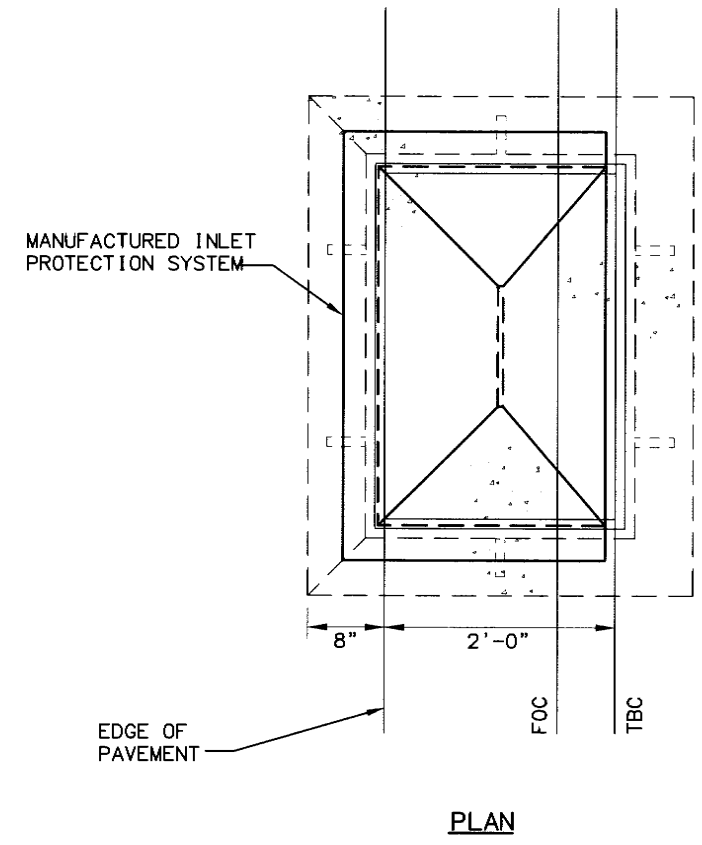
ARCTIC BOULEVARD BICYCLE LANES  
FIREWEED LANE TO 10TH AVENUE

EROSION AND SEDIMENT CONTROL

HATTENBURG DILLEY & LINNELL

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LAYOUT  
MODEL  
XREFS  
DESIGNED BY  
CHECKED BY  
DRAFTED BY

REVISIONS			STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
NO.	DATE	DESCRIPTION					
			ALASKA	M-000S(789)/53619	2014	Q2	Q7



- NOTES:**
1. DROP INLET SEDIMENT BARRIERS ARE TO BE USED FOR SMALL, NEARLY LEVEL DRAINAGE AREAS. (LESS THAN 5%)
  2. USE 2"X4" WOOD OR EQUIVALENT METAL STAKES, 3' MINIMUM LENGTH.
  3. INSTALL 2"X4" WOOD TOP FRAME FOR STABILITY.
  4. THE TOP OF THE FRAME (PONDING HEIGHT) MUST BE WELL BELOW THE GROUND ELEVATION DOWNSLOPE TO PREVENT RUNOFF FROM BY-PASSING THE INLET. A TEMPORARY DIKE MAY BE NECESSARY ON THE DOWNSLOPE SIDE OF THE STRUCTURE.

**TYPE "A" INLET GRATE INSTALLATION WITH INLET PROTECTION**  
NTS

**INLET PROTECTION**

PRE-PS&E REVIEW 9/13/2013

HATTENBURG DILLEY & LINNELL	STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
	ARCTIC BOULEVARD BICYCLE LANES FIREWEED LANE TO 10TH AVENUE
	EROSION AND SEDIMENT CONTROL





LEGEND

INLET PROTECTION (AK-19)

SHEET NO.  
Q3

TOTAL SHEETS  
Q7

STATE  
ALASKA

YEAR  
2014

PROJECT DESIGNATION  
M-000S(789)/53619

ADDENDUM NO.

ATTACHMENT NO.

REVISIONS

NO.	DATE	DESCRIPTION

9/13/13  
PRE-PS&E REVIEW

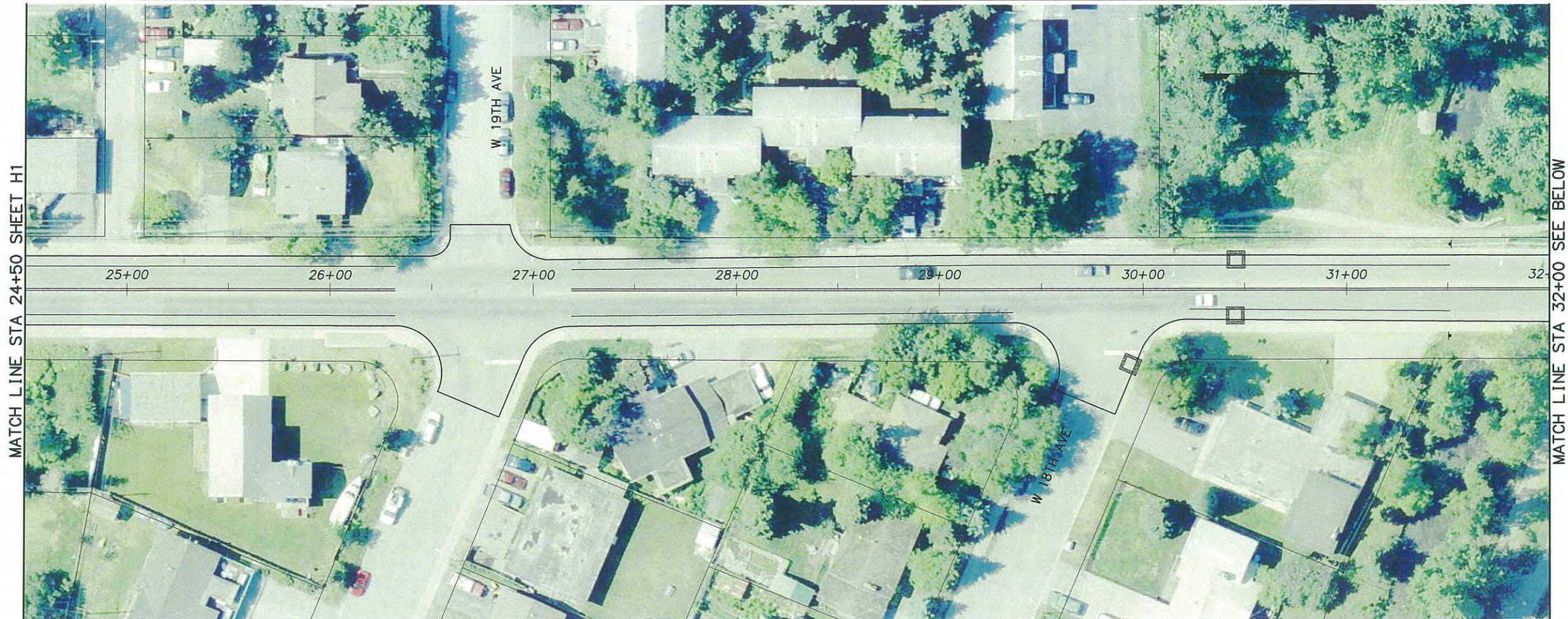
HATTENBURG DILLEY & LINNELL

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

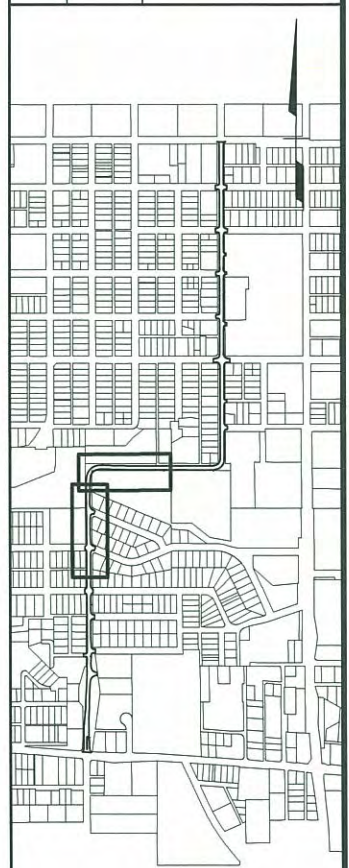
ARCTIC BOULEVARD BICYCLE LANE  
FIREWEED LANE TO 10TH AVENUE

ARCTIC BOULEVARD  
EROSION AND SEDIMENT CONTROL  
9+43.12 TO 24+50





SHEET NO.		TOTAL SHEETS	
Q4		Q7	
STATE		YEAR	
ALASKA		2014	
PROJECT DESIGNATION			
M-000S(789)/53619			
ADDENDUM NO.			
ATTACHMENT NO.			
REVISIONS			
NO.	DATE	DESCRIPTION	



9/13/13  
PRE-PS&E REVIEW

HATTENBURG DILLEY & LINNELL  
STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES  
ARCTIC BOULEVARD BICYCLE LANE  
FIREWEED LANE TO 10TH AVENUE  
ARCTIC BOULEVARD  
EROSION AND SEDIMENT CONTROL  
24+50 TO 38+50

LEGEND

-  INLET PROTECTION (AK-19)



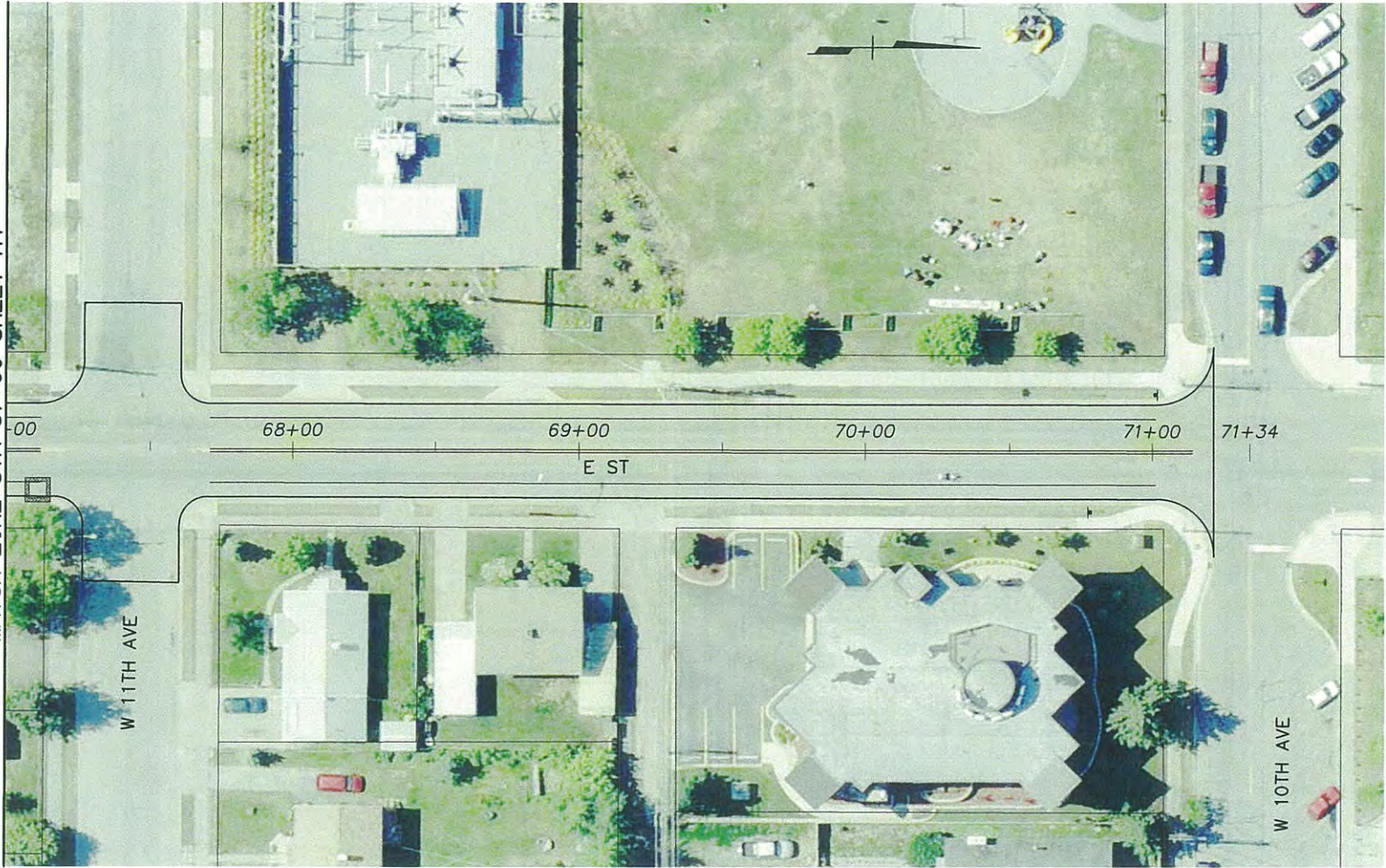








MATCH LINE STA 67+00 SHEET H4



LEGEND

INLET PROTECTION (AK-19)

SHEET NO.		TOTAL SHEETS	
Q7		Q7	
STATE		YEAR	
ALASKA		2014	
PROJECT DESIGNATION			
M-000S(789)/53619			
ADDENDUM NO.			
ATTACHMENT NO.			
REVISIONS			
NO.	DATE	DESCRIPTION	

9/13/13  
PRE-PS&E REVIEW

HATTENBURG DILLEY & LINNELL

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

ARCTIC BOULEVARD BICYCLE LANE  
FIREWEED LANE TO 10TH AVENUE

ARCTIC BOULEVARD  
EROSIAN AND SEDIMENT CONTROL  
67+00 TO 71+34



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION AND PUBLIC  
FACILITIES  
CENTRAL REGION



PROPOSAL, CONTRACT, BOND, STANDARD MODIFICATIONS AND  
SPECIAL PROVISIONS FOR:

**AMATS: Arctic Blvd Bike Lanes:  
Fireweed Lane to 10<sup>th</sup> Ave  
Project No. 000S789/53619**

**As Advertised: N/A  
DOCUMENT FEE: N/A**

**To be used in conjunction with State of Alaska Standard Specifications for Highway  
Construction dated 2004, and the Plans for the above referenced project.**

[www.dot.alaska.gov](http://www.dot.alaska.gov) - "Procurement"

## TABLE OF CONTENTS

(Federal-Aid Highways)

1. Invitation

INVITATION TO BID	25D-7	(7/03)
-------------------	-------	--------

2. Bid Notices

REQUIRED DOCUMENTS	25D-4A	(5/12)
FEDERAL EEO BID CONDITIONS	25A-301	(3/12)
DBE SUBCONTRACTABLE ITEMS	25A-324	(8/01)

3. Forms

SUBCONTRACTOR LIST	25D-5	(10/12)
BIDDER REGISTRATION	25D-6	(3/12)
CONTRACTOR'S QUESTIONNAIRE	25D-8	(8/01)
BID FORM	25D-9	(7/03)
BID SCHEDULE		
CONSTRUCTION CONTRACT	25D-10A	(8/01)
PAYMENT BOND	25D-12	(8/01)
PERFORMANCE BOND	25D-13	(8/01)
BID BOND	25D-14	(8/01)
BID MODIFICATION	25D-16	(8/01)
MATERIAL ORIGIN CERTIFICATE	25D-60	(8/01)
EEO-1 CERTIFICATION	25A-304	(8/01)
DOT&PF TRAINING PROGRAM REQUEST	25A-310	(8/01)
TRAINING UTILIZATION REPORT	25A-311	(10/12)
CONTACT REPORT	25A-321A	(1/02)
DBE UTILIZATION REPORT	25A-325C	(3/12)
PRIME CONTRACTOR'S WRITTEN DBE COMMITMENT	25A-326	(8/01)
SUMMARY OF GOOD FAITH EFFORT DOCUMENTATION	25A-332A	(8/01)

4. Contract Provisions and Specifications

STANDARD MODIFICATIONS		
SPECIAL PROVISIONS		
APPENDIX A: MATERIAL CERTIFICATION LIST		
REQUIRED CONTRACT PROVISIONS FOR FEDERAL-AID (FHWA) CONSTRUCTION CONTRACTS	25D-55H	(5/12)

5. Federal Wage Rates

Federal wage rates can be obtained at <http://www.wdol.gov/dba.aspx#0> for the State of Alaska. Use the federal wage rates that are in effect 10 days before Bid Opening. The Department will include a paper copy of the federal wage rates in the signed Contract.

6. State Wage Rates

State wage rates can be obtained at <http://www.labor.state.ak.us/lss/pamp600.htm>. Use the State wage rates that are in effect 10 days before Bid Opening. The Department will include a paper copy of the State wage rates in the signed Contract.



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

**INVITATION TO BID**  
for Construction Contract

Date N/A

**AMATS: Arctic Blvd Bike Lanes: Fireweed Lane to 10<sup>th</sup> Ave**  
**Project No. 000S789/53619**

Location of Project: Anchorage, Alaska

Contracting Officer: Joel G. St. Aubin, P.E., Director, Design & Construction

Issuing Office: Central Region

State Funded [ ]

Federal Aid [ X ]

Description of Work:

This federally funded AMATS project consists of designating bicycle facilities on: Arctic Blvd. from Fireweed Ln. to 17<sup>th</sup> Ave.; 17<sup>th</sup> Ave. from Arctic Blvd. to E St.; E St. from 17<sup>th</sup> Ave. to 10<sup>th</sup> Ave. Work will consist of signage and marking.

The Engineer's Estimate is between **\$100,000 and \$250,000**

All work shall be completed by: within N/A.

Interim Completion dates, if applicable, will be shown in the Special Provisions.

**Bidders are invited to submit sealed bids, in single copy, for furnishing all labor, equipment, and materials and for performing all work for the project described above. Bids will be opened publicly at N/A local time, in the main conference room, 4111 Aviation Avenue, Anchorage, Alaska on N/A.**

**SUBMISSION OF BIDS**

ALL BIDS INCLUDING ANY AMENDMENTS OR WITHDRAWALS MUST BE RECEIVED PRIOR TO BID OPENING. BIDS SHALL BE SUBMITTED ON THE FORMS FURNISHED AND MUST BE IN A SEALED ENVELOPE MARKED AS FOLLOWS:

**Bid for Project:**

**AMATS: Arctic Blvd Bike Lanes:  
Fireweed Ln. to 10 Ave.  
Project No. 53619/000S789**

**ATTN: Contracts**

**State of Alaska  
Department of Transportation & Public Facilities  
P.O. Box 196900  
Anchorage, AK 99519-6900**

Bids, amendments or withdrawals transmitted by mail must be received in the above specified post office box no later than 7 hours prior to the scheduled time of bid opening. Hand-delivered bids, amendments or withdrawals must be received by **Sharon L. Smith P.E., Chief of Contracts** at the Contracts Section, 4111 Aviation Avenue, prior to the scheduled time of bid opening. Faxed bid amendments must be addressed to **Sharon L. Smith, P.E., Chief of Contracts**. Fax number: (907) 269-0425.

*A bid guaranty is required with each bid in the amount of 5% of the amount bid. (Alternate bid items as well as supplemental bid items appearing on the bid schedule shall be included as part of the total amount bid when determining the amount of bid guaranty required for the project.)*

The Department hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this Invitation, Disadvantaged Business Enterprises (DBEs) will be afforded full opportunity to submit bids and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

## NOTICE TO BIDDERS

Bidders are hereby notified that data to assist in preparing bids is available as follows:

**See attached Special Notice to Bidders for this project.**

Plans and Specifications may be ordered, for the price of **\$100.00** from:

**State of Alaska, Department of Transportation & Public Facilities  
Plans Room  
4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, AK 99519-6900**

Phone: (907) 269-0408

All questions relating to design features, constructability, quantities, or other technical aspects of the project should be directed to the following. Bidders requesting assistance in viewing the project must make arrangements at least 48 hours in advance with:

**Kevin Jackson, P.E.**

Phone: (907) 269-0641

Fax: (907) 269-4409

All questions concerning bidding procedures should be directed to:

**Sharon L. Smith, P.E.  
Chief of Contracts  
P.O. Box 196900  
Anchorage, AK 99519-6900**

Phone: (907) 269-0414

**The Bid Calendar, Planholder lists, Bid Results and DBE information are available on the Internet at:  
[www.dot.alaska.gov](http://www.dot.alaska.gov) under Procurement.**

This project was designed in the US customary (USC) units. Inspection will take place in USC units. Submittals must be provided in USC units.

To report bid rigging activities call: 1-800-424-9071.

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m., eastern time. Anyone with knowledge of possible rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

The **2004 Standard Specifications for Highway Construction** are available upon request for \$25.00 each from Contracts Section, 4111 Aviation Avenue, Anchorage, AK 99502, Phone: (907) 269-0400.

## SPECIAL NOTICE TO BIDDERS

The Department hereby notifies bidders that information to assist in bid preparation is available from the Department of Transportation and Public Facilities, Anchorage office, located at 4111 Aviation Avenue.

1. Publications. The following are available from the Plans Room:
  - a. Standard Specifications for Highway Construction, 2004 Edition (\$25.00).
  - b. Alaska Test Methods Manual (Lab & Field), April 30, 2012 Edition (\$25.00). Available online at: [http://www.dot.state.ak.us/stwddes/desmaterials/mat\\_waqtc/pop\\_testman.shtml](http://www.dot.state.ak.us/stwddes/desmaterials/mat_waqtc/pop_testman.shtml)
  - c. Alaska Storm Water Pollution Prevention Plan Guide, February, 2011. [http://www.dot.state.ak.us/stwddes/desenviron/pop\\_swppp.shtml](http://www.dot.state.ak.us/stwddes/desenviron/pop_swppp.shtml)
  - d. Quantity Computations
  - h. Erosion, Sediment Control Plan (ESCP).
2. Materials Certification List (MCL). The MCL provides the Engineer with the appropriate approving authority. Contractor, submit certification for each material to the Engineer. The MCL is included in Appendix A.
3. Environmental Documents. The Department has approved an environmental document addressing concerns and environmental commitments. This document is available for review in the Department Section of Preliminary Design and Environmental. (907) 269-0542.
5. Section 120, Disadvantaged Business Enterprise (DBE) Program. Effective for FHWA funded projects advertised on or after March 5, 2012, there is a revised Statewide Special Provision for Section 120 DBE Program, revised DBE forms, and other revised construction contract forms. Contractors are encouraged to review the construction contract forms and the revised Statewide Special Provision for Section 120 DBE Program which includes changes to timelines for submission of the DBE Utilization Report and DBE Good Faith Effort documentation, if applicable. See also the revised Required Documents form, 25D-4A.

Any questions about this notice may be directed to Dennis Good, Manager of the Civil Rights Office, (907) 269-0848, or email [dennis.good@alaska.gov](mailto:dennis.good@alaska.gov).
6. DBE Program Waiver - Central Region Projects. The US DOT Waiver for the DBE Program has been implemented on Central Region Projects since August 1, 2011. The DBE Program Waiver approved by USDOT addresses the issue identified in the Department's Disparity Study which found that DBE firms that are owned by Non-Minority Women were participating on the Department's construction contracts and subcontracts on an equal basis similar to other non-DBE contractors and non-DBE subcontractors for Central Region only.

As a result, DBE contract goals cannot be met through the use of female caucasian owned DBEs. This Waiver does not affect DBE project goals for airports or transit projects anywhere in Alaska, and does not apply to professional service agreements or highway construction projects in Northern or Southeast Regions.

The decision to continue or discontinue the use of the Waiver will be made on an annual basis.

Any questions about this notice may be directed to Dennis Good, Manager of the Civil Rights Office, (907) 269-0848, or email [dennis.good@alaska.gov](mailto:dennis.good@alaska.gov).
11. High Visibility Clothing. The Department requires all workers within the project limits to wear an outer visible surface or layer of high visibility color and retroreflectivity. See subsection 643-3.11.

FED\_SOA-CRSNB-011013

**PART 4**

**STANDARD MODIFICATIONS  
AND  
SPECIAL PROVISIONS**

To the **STATE OF ALASKA**

**STANDARD  
SPECIFICATIONS  
FOR  
HIGHWAY CONSTRUCTION**

**2004  
EDITION**

## TABLE OF CONTENTS

Section	Page
<b>DIVISION 100 — GENERAL PROVISIONS</b>	
101 Definitions & Terms	1
102 Bidding Requirements & Conditions	2
103 Award & Execution of Contract	3
104 Scope of Work	4
105 Control of Work	5
106 Control of Material	10
107 Legal Relations & Responsibility to Public	13
108 Prosecution & Progress	17
109 Measurement & Payment	20
120 Disadvantaged Business Enterprise (DBE) Program	21
<b>DIVISION 200 — EARTHWORK</b>	
201 Clearing & Grubbing	29
<b>DIVISION 600 — MISCELLANEOUS CONSTRUCTION</b>	
615 Standard Signs	30
640 Mobilization & Demobilization	32
641 Erosion, Sediment and Pollution Control	33
643 Traffic Maintenance	56
670 Traffic Markings	70
<b>DIVISION 700 — MATERIALS</b>	
712 Miscellaneous	75
727 Soil Stabilization Material	76
730 Sign Materials	77
Index	78
Appendix A Material Certification List	79
FED-CRTbICntnts-090413	

## SECTION 101

### DEFINITIONS AND TERMS

Standard Modifications

#### 101-1.03 DEFINITIONS.

**PLANS.** Delete Text of PLANS and replace with:

The Department's Contract drawings, profiles, typical cross sections, standard drawings, and supplemental drawings or reproductions showing the location, character, dimensions, and details of the work.

E32-012707

Add the following definition:

**QUALIFIED PRODUCTS LIST.** A list of companies and products that the Department has found conforms to the SSHC.

E36-012707

Insert the following definition after RESPONSIVE BID:

**RETAINAGE.** A percentage of a payment established in advance under a contract or subcontract to be withheld from progress payment due on the contract or subcontract. Payment or a percentage of payment withheld for unsatisfactory performance is not retainage.

E101-030512

Replace the definitions of SUBGRADE with the following:

**SUBGRADE.** The soil or embankment upon which the pavement structure is constructed.

E22-010106



## SECTION 102

### BIDDING REQUIREMENTS AND CONDITIONS

Standard Modification

#### **102-1.04 EXAMINATION OF PLANS, SPECIFICATIONS, SPECIAL PROVISIONS, AND WORK SITE.**

Replace the second paragraph with the following:

The records of geotechnical investigations including boring logs, test results, geology data reports, soil reports, material site reports, and geotechnical reports included in a bid package or made accessible to bidders or Contractors, are for information purposes only. These records are not part of the Contract. These records indicate subsurface conditions only at specific locations and times, and only to the depths penetrated. They do not necessarily reflect variations in soil, rock, or groundwater conditions that may exist between or outside such locations. Actual conditions may differ from what is shown in the records. Material Sources referenced in these records may not contain materials of sufficient quantity or quality to meet project requirements. The accessibility of these records does not constitute approval, nor guarantee suitability of soils or sources, or the rights to use sources for this project, except as specifically provided in subsections 106-1.02.4.b Mandatory Sources and 106-1.02.4.c Designated Sources. The records shall not substitute for independent investigation, interpretation, or judgment of the bidder or Contractor. The Department is not responsible for any interpretation or conclusion drawn from its records by the bidder or Contractor.

Bidders and Contractors shall examine subsection 106-1.02 Material Sources for further information about material source development.

E23-010106

#### **102-1.05 PREPARATION OF BID.** Modify the second sentence in the third paragraph, after:

"If a bidder is a corporation, the bid must be signed by a corporate officer," add: or agent.

E18-063004

## SECTION 103

### AWARD AND EXECUTION OF CONTRACT

#### Standard Modifications

Delete Subsection 103-1.05 and replace with the following:

**103-1.05 PERFORMANCE AND PAYMENT BONDS.** The successful bidder shall furnish all required Performance and Payment Bonds on forms provided by the Department for the sums specified in the Contract. If no sum is specified, the successful bidder shall comply with AS 36.25.010. The Surety on each bond may be any corporation or partnership authorized to do business in the state as an insurer under AS 21.09 or two individual sureties approved by the Contracting Officer.

If individual sureties are used, two individual sureties must each provide the Department with security assets located in Alaska equal to the penal amount of each bond. Any costs incurred by the Contractor and the individual Surety are subsidiary and shall be borne by the Contractor or the individual Surety. In no event will the Department be liable for these Costs.

Individual sureties shall provide security by one, or a combination, of the following methods:

1. Escrow Account, with a federally insured financial institution, in the name of the Department. Acceptable securities include, but are not limited to, cash, treasury notes, bearer instruments having a specific value, or money market certificates.
2. Irrevocable letters of credit, with a financial institution approved by the Contracting Officer.
3. Cashier's or certified check, made payable to the State of Alaska issued by financial institutions approved by the Contracting Officer.

These bonds and security assets, as applicable, shall remain in effect for 12 months after the date of final payment or, if longer, until all obligations and liens under this Contract are satisfied, including, but not limited to, obligations under Subsection 107-1.19.

The Department may, in its discretion, notify the bonding company or Surety of any potential default or liability.

The Contractor shall substitute, within five working days, another bond or surety acceptable to the Department if an individual Surety or the Surety on any bond furnished in connection with the Contract:

1. Becomes insolvent or is declared bankrupt;
2. Loses its right to do business in any state affecting the work;
3. Ceases to meet Contract requirements;
4. Fails to furnish reports of financial condition upon request; or
5. Otherwise becomes unacceptable to the Department.

When approved by the Contracting Officer, the Contractor may replace:

1. An individual surety with a corporate surety; or
2. Posted collateral with substitute collateral.

Failure to maintain the specified bonds or to provide substitute bonds when required under this section may be grounds for withholding contract payments until substitute bonding is obtained, and may, in the Department's discretion, be grounds for declaring the Contractor in default.

E65-022309

**SECTION 104****SCOPE OF WORK**

Standard Modifications

**104-1.01 INTENT OF CONTRACT.** Add to the end of this subsection:

The Contractor is responsible for the means, methods, techniques, sequence, or procedures of construction, safety, quality control, and to perform or furnish the work in accordance with the Contract documents.

E58-072808

**SECTION 105**  
**CONTROL OF WORK**

Standard Modifications

**105-1.02 PLANS AND WORKING DRAWINGS.** In the third paragraph delete:

"(24"x36")" and replace with: (22"x34")

**105-1.03 CONFORMITY WITH PLANS AND SPECIFICATIONS.** In the first sentence of the first paragraph after:

"Work performed and materials furnished shall conform to the Plans and Specifications" add: and approved Working Drawings,

In the first sentence of the second paragraph after: "All work or material not conforming to the Plans and Specifications" add: and approved Working Drawings,

E33-012707

## Special Provisions

**105-1.06 UTILITIES.** Add the following:

Request locates from the utilities having facilities in the area. Use the Alaska Digline, Inc. Locate Call Center for the following utilities.

**ALASKA DIGLINE, INC.**


---

Locate Call Centers:		
Anchorage		278-3121
Statewide		(800) 478-3121

---

Call Centers will notify the following:

Alaska Communications Systems (ACS)  
 Anchorage School District (ASD)  
 Anchorage Water & Wastewater Utility (AWWU)  
 AT & T Alascom (AT&T)  
 Chevron-Union Oil of California (UNOCAL)  
 Chugach Electric Association (CEA)  
 ConocoPhillips Alaska, Inc. (CPA)  
 ENSTAR Natural Gas (ENS)  
 General Communications, Inc. (GCI)  
 Municipality of Anchorage Signal & Street Maint.  
 Municipal Light & Power (ML&P)  
 State of AK, DOT/PF Anchorage Street Lights (DOT)  
 Tesoro Alaska (TESORO)

---

Call the following utilities and agencies directly:

Contact the Central Region Maintenance & Operations Office at (907) 269-0760 to obtain the appropriate District Superintendent's phone number for this project.

Utilities Relocated by Others. None

Work done by utility owner(s) is as follows: None

CR1053-042313

**105-1.07 COOPERATION BETWEEN CONTRACTORS.** Add the following:

The following state owned projects may be under construction concurrently with this project.

<b>Project Name:</b>	<b>Project No.:</b>

Coordinate traffic control, construction, and material hauling operations with the prime contractor of the above projects to minimize impact on the traveling public, and to minimize conflicts with the work being performed under the other contracts.

CR1051-110309

**105-1.13 MAINTENANCE DURING CONSTRUCTION.** Add the following at the end of this subsection:

Costs of maintenance work during construction and before the project is accepted as substantially complete shall be subsidiary to the prices bid on the various Contract items, and the Contractor will not be paid an additional amount for such work.

If in the Engineer's opinion, the Contractor at any time fails to provide adequate maintenance, the Engineer will notify the Contractor of such noncompliance. The notification will specify the areas or structures for which there is inadequate maintenance, the corrective maintenance required, and the time allowed to complete corrective maintenance. If the Contractor fails to take corrective action within the specified time, the Engineer may:

1. Suspend the work until corrective maintenance is completed;
2. Assess a traffic price adjustment against the Contract Amount when an adjustment rate is specified in the Contract; and
3. Employ others for corrective maintenance and deduct the cost from the Contract amount.

E33-012707

**105-1.15 PROJECT COMPLETION.** In the second paragraph, second sentence, delete:

"Subsection 621-3.04" and replace with: Subsection 618-3.06 and 621-3.04.

In the third paragraph, first sentence, delete:

"Subsection 621-3.04" and replace with: Subsection 618-3.06 and 621-3.04.

E59-072808

**105-1.16 FINAL ACCEPTANCE AND RECORD RETENTION.** Modify the first paragraph, Item 4. after:

"DOLWD" add: and State Department of Revenue.

E19-063004

Special Provisions

**105-1.17 CLAIMS FOR ADJUSTMENT AND DISPUTES.** Add the following:

Appeals to the superior court under AS 36.30.685 must be filed in the Third Judicial District.

CR1054-032101

Add the following Subsection 105-1.18:

**105-1.18 RESERVED FOR WARRANTIES.**

E33-012707



## SECTION 106

### CONTROL OF MATERIAL

#### Standard Modifications

**106-1.01 SOURCE OF SUPPLY AND QUALITY REQUIREMENTS.** In fifth paragraph, in two places remove the text, "Approved Products List" and replace with: *Qualified Products List*

E36-012707

#### Special Provision

Add the following:

**Buy America Provision.** Comply with the requirements of 23 CFR 635.410, Buy America Requirements, and submit a completed Material Origin Certificate, Form 25D-60, before award of the Contract.

Steel and iron products, which are incorporated into the work, shall be manufactured in the United States except that minor amounts of steel and iron products of foreign manufacture may be used, provided the aggregate cost of such does not exceed one tenth of one percent (0.001) of the total contract amount, or \$2500, whichever is greater. For the purposes of this paragraph, the cost is the value of the products as they are delivered to the Project including freight.

"Manufactured in the United States" means that all manufacturing processes starting with the initial mixing and melting through the final shaping, welding, and coating process must be undertaken in the United States. The definition of "manufacturing process" is smelting or any subsequent process that alters the material's physical form, shape or chemical composition. These processes include rolling, extruding, machining, bending, grinding, drilling, etc. The application of coatings, such as epoxy coating, galvanizing, painting or any other coating that protects or enhances the value of steel or iron materials shall also be considered a manufacturing process subject to the "Buy America Requirements."

Buy America does not apply to raw materials (iron ore), scrap pig iron, and processed, pelletized and reduced iron ore. It also does not apply to temporary steel items (e.g., temporary sheet piling, temporary bridges, steel scaffolding, and falsework). Further, it does not apply to materials that remain in place at the Contractor's convenience (e.g., sheet pilings, and forms).

The North American Free Trade Agreement (NAFTA) does not apply to the Buy America requirement. There is a specific exemption within NAFTA (article 1001) for grant programs such as the Federal-aid highway program.

When steel and iron products manufactured in the United States are shipped to a foreign country where non-steel or iron products are installed on or in them (e.g., electronic components in a steel cabinet), the steel and iron is considered to meet the requirements of this subsection.

Take whatever steps are necessary to ensure that manufacturing processes for each covered product comply with this provision. Non-conforming products shall be replaced at no expense to the State. Failure to comply may also subject the Contractor to default and/or debarment. False statements may result in criminal penalties prescribed under Title 18 US Code Section 1001 and 1020.

CR13-020705

## Standard Modification

**106-1.02 MATERIAL SOURCES.**

1. a. General. Within Item a. delete text and replace with: Utilize Useable Excavation according to subsection 104-1.04 before using material sources listed in subsection 106-1.02.4. When there is insufficient, Useable Excavation furnish additional required materials from sources of the Contractor's choice, except that the Contractor shall use a mandatory source when identified in the Contract.

4. Type of Sources. Replace the first paragraph with the following:

The Contractor shall utilize Useable Excavation according to subsection 104-1.04 before using material sources listed in this subsection. When there is insufficient Useable Excavation, the Contractor shall furnish additional required materials from sources of the Contractor's choice, except that the Contractor shall use a mandatory source when identified in the Contract.

When there is insufficient Useable Excavation, the Contractor shall supply additional required material from the following sources:

- d. Available Sources. Replace the second paragraph with the following:

When the Department furnishes copies of existing boring logs, test results, or other data in its possession concerning Available Sources, the Contractor is responsible for determining the accuracy and completeness of this data, for assumptions the Contractor makes based on this data, and for exploring Available Sources to the Contractor's satisfaction.

- e. Excluded Material Sources. Replace the paragraph with the following:

Some material sources may not be considered acceptable regardless of location or ownership. The bid documents may identify some material sources excluded from use. The Department reserves the right to exclude a material source or any portion of a material source, at any time after Contract Award that is determined by material testing to be unsuitable for use on the Project.

E24-010106

Add new Subsection 106-1.08:

**106-1.08 SUBMITTAL PROCEDURE.** The Contractor shall complete a Submittal Register, and shall submit to the Engineer on forms provided by the Department. The intent of the Submittal Register is to provide a blueprint for the smooth flow of specified Project document. The Contractor shall fill it out sequentially by bid Item and allow at least three spaces between bid items. The Submittal Register shall list working drawings, schedules of work, and other items required to be submitted to the Department by the Contractor including but not limited to Progress Schedule, anticipated dates of material procurement, Construction Phasing Plan, Utility Progress Schedule, Blasting Plan, Mining Plan, annual EEO reports, DBE payment documentation, and subcontracts.

The Contractor shall submit materials (product) information to the Engineer for review, as required by the Materials Certification List and the Contract.

The number of copies required for submittals may be included in the specifications for individual bid items. If the number of copies of a submittal is not otherwise specified, three copies shall be required. On each sheet submitted to the Department, including working drawings, catalog cuts, manufacturer's certifications, etc., space shall be provided for Contractor and Department review stamps.

Each copy of each submittal shall include a Submittal Summary sheet. The Contractor may use forms provided by the Department or a similar form of the Contractor's choice as approved by the Department. The Contractor shall sign submittals and submit them to the Engineer. The Department will review submittals within 30 days after they are received. The Department will return submittals to the Contractor as either: approved, conditionally approved with the conditions listed, or rejected with the reasons listed. The Contractor may resubmit a rejected submittal to the Engineer with more information or corrections. The Department will review resubmittals within 30 days after they are received.

The Contractor shall not order material or use working drawings that have not been approved by the Department. The Contractor shall be responsible for timely submittals. Failure by the Department to review submittals within the time given may be the basis for a request for extension of Contract time but not for additional compensation.

Payment for a specific Contract Item will not be made until the Department has received the Submittal Register for all items and approved all required submittals for that specific Contract Item.

When material invoices, freight bills, and mill certificates are submitted, they shall provide sufficient information for the Engineer to identify the date, company and location of invoice (bill, certificate); Project name and number where material will be incorporated, manufacturer, product number, quantity and cost.

Add the following Subsection 106-1.09:

**106-1.09 RESERVED.**

E34-012707

## SECTION 107

### LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC

#### Special Provisions

#### **107-1.02 PERMITS, LICENSES, AND TAXES.**

The Contractor shall: Add the following:

9. Obtain through the Engineer a written statement from the State Historic Preservation Officer stating that material disposal, extraction, stockpiling, or staging, on or off project site, is not expected to impact cultural resources. The State Historic Preservation Officer is with the Department of Natural Resources in Anchorage, and may be contacted at (907) 269-8715. If cultural resources are discovered during construction activities, stop work at the site and notify the Engineer.
10. Provide a wetland specialist able to conduct wetlands determinations and delineations according to the Corps of Engineers 1987 Wetland Delineation Manual, and the Regional Supplement to the Corps of Engineers Wetland Delineations Manual (Alaska Region, Version 2.0, September 2007). The wetland specialist shall conduct the determination and delineations of sites outside the project limits or not previously permitted, impacted by the Contractor's operations. These delineations will be subject to Corps of Engineers approval.
11. Provide information to comply with the Alaska Department of Environmental Conservation (ADEC) Alaska Pollutant Discharge Elimination System (APDES) General Permit for Alaska to discharge storm water from the construction site. Refer to Section 641, Erosion, Sediment, and Pollution Control for requirements for this permit.
12. A Municipality of Anchorage (MOA) Right-of-Way Use permit will be required. The Municipality will require a copy of the approved Traffic Control Plan and a copy of the Notice to Proceed from the Contractor.

Provide the Engineer a copy of permits or clearances received before using sites outside the project limits. Additionally, provide the Engineer a written statement that permits or clearances have been obtained. Also, provide a written statement to the Engineer listing agencies or offices contacted that responded that no additional action is required.

CR1072-042313

#### Standard Modifications

#### **107-1.05 FEDERAL AID PROVISIONS.** Add the following after paragraph two:

***Form 25D-55H Required Contract Provisions for Federal-Aid (FHWA) Construction Contracts.*** The FHWA no longer requires the Contractor to fill out FHWA Form 47, Statement of Materials and Labor Used By Contractors on Highway Construction Involving Federal Funds. Section VI Records of Materials, Supplies and Labor of Form 25D-55H is no longer applicable to highway construction contracts.

**Title VI Requirements.** During the performance of this Contract, the Contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- (1) **Compliance with Regulations:** The Contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, Section 21.5 of the regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitation for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the DOT&PF or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the DOT&PF, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this Contract, the DOT&PF shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
  - (a) withholding of payments to the Contractor under the Contract until the Contractor complies, and/or
  - (b) cancellation, termination, or suspension of the Contract, in whole or in part.
- (6) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontract or procurement as the DOT&PF or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the DOT&PF to enter into such litigation to protect the interests of the DOT&PF, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

E67-101509

**107-1.07 ARCHAEOLOGICAL OR HISTORICAL DISCOVERIES.** Change the first sentence to the following:

When operation encounters historic or prehistoric artifacts, burials, remains of dwelling sites, paleontological remains, (shell heaps, land or sea mammal bones or tusks, or other items of historical significance), cease operations immediately and notify the Engineer.

**107-1.11 PROTECTION AND RESTORATION OF PROPERTY AND LANDSCAPE.** Add the following:

If water is required for a construction purpose from a nonmunicipal water source, obtain a Temporary Water Use Permit from the Water Resource Manager, and provide a copy to the Engineer. The Water Resource Manager is with the Department of Natural Resources in Anchorage and may be contacted at (907) 269-8645.

CR1072-042313

Standard Modification

Add the following paragraphs:

7. Restoring Areas. Areas used by the Contractor, including haul routes, shall be restored to their original condition after the Contractor's operations are completed. The original condition of an area shall be determined as follows:

Before beginning operations, the Engineer and the Contractor shall inspect each area and haul route that will be used by the Contractor and take photographs to document their condition. After construction operations are completed, the condition of each area and haul route will be compared to the earlier photographs. Before demobilization, the Contractor shall repair damages attributed to its operations. The Contractor agrees that costs associated with repairs shall be subsidiary to other items of work and will not be paid for directly.

8. Material Disposal Sites. Offsite disposal areas may be at locations of the Contractor's choice, provided the Contractor obtains from the owner of such land written permission for such dumping and a waiver of all claims against the State for any damage to such land which may result there from, together with permits required by law for such dumping. A copy of permission, waiver of claims, and permits shall be filed with the Engineer before beginning work on private property. The Contractor's selected disposal sites shall also be inspected and approved by the Engineer before use of the sites.

E35-012707

Add the following subsection:

**107-1.21 FEDERAL AFFIRMATIVE ACTION.** The Federal Equal Employment Opportunity Disadvantaged Business Enterprise and On-the-Job Training affirmative action program requirements that are applicable to this Contract are contained in the project Special Provisions and Contract Forms, and may include:

Disadvantaged Business Enterprise (DBE) Program .....	Section 120
Training Program .....	Section 645
Federal EEO Bid Conditions .....	Form 25A 301
EEO-1 Certification .....	Form 25A 304
ADOT&PF Training Program Request .....	Form 25A 310
Training Utilization Report.....	Form 25A 311
Contact Report.....	Form 25A 321A
DBE Subcontractable Items.....	Form 25A 324
DBE Utilization Report .....	Form 25A 325C
Summary of Good Faith Effort Documentation .....	Form 25A 332A
Required Contract Provisions, Federal-Aid Contracts .....	Form 25D 55

In addition to the sanctions provided in the above references, non-compliance with these requirements is grounds for withholding of progress payments.

S80-012202

## SECTION 108

### PROSECUTION AND PROGRESS

Standard Modification

Delete Subsection 108-1.01 in its entirety and replace with the following:

**108-1.01 SUBCONTRACTING OF CONTRACT.** The Contractor shall submit a Contractor Self Certification for Subcontractors and Lower Tier Subcontractors, Form 25D-042, before the Contractor or any subcontractor subcontracts, sells, transfers, assigns, or otherwise disposes of the Contract or any portion of the Contract. The Department has authority to review subcontracts and to deny permission to subcontract work. The Department may penalize the Contractor for false statements or omissions made in connection with Form 25D-042.

The Contractor shall perform, with the Contractor's own organization, work amounting to at least 30 percent of the difference between the original Contract price and the price of designated Specialty Items. For the purpose of this Subsection, work is defined as the dollar value of the services, equipment, materials, and manufactured products furnished under the Contract. The Engineer will determine the value of the subcontracts based on Contract unit prices or upon reasonable value, if entire items are not subcontracted.

The Department's consent to the subcontracting, sale, transfer, assignment, or disposal of all or a part of the Contract shall not relieve the Contractor and the Surety of responsibility for fulfillment of the Contract or for liability under bonds regardless of the terms of the transfer or sublet approvals.

1. The Contractor shall ensure that for all subcontracts (agreements):
  - a. The Department is furnished with one completed Contractor Self Certification, Form 25D-042, for each subcontract;
  - b. The subcontractors have submitted a Bidder Registration; Form 25D-6;
  - c. The required prompt payment provisions of AS 36.90.210 are included in all subcontracts;
  - d. A clause is included requiring the Contractor to pay the subcontractor for satisfactory performance according to AS 36.90.210 and within eight (8) working days after receiving payment for which the subcontractor is to be paid.
  - e. A clause is included requiring the Contractor to pay the subcontractor interest, according to AS 45.45.100(a), for the period beginning the day after the required payment date and ending on the day payment of the amount due is made;
  - f. A clause is included requiring the Contractor to pay the subcontractor all retainage due under the subcontract, within eight (8) working days after final payment is received from the Department, or after the notice period under AS 36.25.020(b) expires, whichever is later;
  - g. A clause is included requiring the Contractor to pay interest on retainage, according to AS 36.90.250 and AS 45.45.101(a);
  - h. Other required items listed in Form 25D-042 are included in the subcontracts;
  - i. The subcontractors pay current prevailing rate of wages as per Subsection 107-1.04 and file certified payrolls with the Engineer and DOLWD for all work performed on the project; and
  - j. Upon receipt of a request for more information regarding subcontracts, the requested information is provided to the Department within 5 calendar days.
  
2. The Contractor shall ensure that for all lower tier subcontracts (agreements between subcontractors and lower tier subcontractors):
  - a. The required prompt payment provisions of AS 36.90.210 are included in all lower tier subcontracts;
  - b. A clause is included requiring the subcontractor to pay the lower tier subcontractor for satisfactory performance according to AS 36.90.210, and within eight (8) working days after receiving payment from which the subcontractor is to be paid;
  - c. A clause is included requiring the subcontractor to pay the lower tier subcontractor interest, according to AS 45.45.010(a), for the period beginning the day after the required payment date and ending on the day payment of the amount due is made;



- d. A clause is included requiring the subcontractor to pay the lower tier subcontractor all retainage due under the subcontract, within eight (8) working days after final payment is received, or after the notice period under AS 36.25.020(b) expires, whichever is later;
  - e. A clause is included requiring the subcontractor to pay the lower tier subcontractor interest on retainage, according to AS 36.90.250 and AS 45.45.101(a);
  - f. Other required items listed in Form 25D-042 are included in the lower tier subcontracts;
  - g. The lower tier subcontractors pay current prevailing rate of wages as per Subsection 107-1.04 and file certified payrolls with the Engineer and DOLWD for all work performed on the project; and
  - h. Upon receipt of a receipt for more information regarding subcontracts, the requested information is provided to the Department within 5 calendar days.
3. The following will be considered as subcontracting, unless performed by the Contractor:
- a. **Roadside Production.** Roadside production of crushed stone, gravel, and other materials with portable or semi-portable crushing, screening, or washing plants set up or reopened in the vicinity of the project to supply materials for the project, including borrow pits used exclusively or nearly exclusively for the project.
  - b. **Temporary Plants.** Production of aggregate mix, concrete mix, asphalt mix, other materials, or fabricated items from temporary batching plants, temporary mixing plants, or temporary factories that are set up or reopened in the vicinity of the project to supply materials exclusively or nearly exclusively for the project.
  - c. **Hauling.** Hauling from the project to roadside production, temporary plants, or commercial plants, from roadside production or temporary plants to the project, from roadside production or temporary plants to commercial plants, and all other hauling not specifically excluded in this subsection.
  - d. **Other Contractors.** All other contractors working on the project site under contract with the Contractor are considered subcontractors unless specifically excluded in this subsection.
4. The following will not be considered as subcontracting, but the Contractor shall comply with the prompt payment provisions AS 36.90:
- a. **Commercial Plants.** The purchase of sand, gravel, crushed stone, crushed slag, batched concrete aggregates, ready-mixed concrete, asphalt paving mix, and any other materials or fabrication produced at and furnished from established and recognized commercial plants that sell to both public and private purchasers.
  - b. **Hauling.** Delivery of materials from a commercial plant to a different commercial plant, and delivery from a commercial plant to the project site by vehicles owned and operated by the commercial plants or by commercial freight companies that have a contract with the commercial plant. Commercial freight companies are trucking or hauling companies that deliver multiple types of materials to multiple clients, both public and private, on an established route, and on a recurrent basis.
  - c. **Contractors' General Business.** Work within permanent home offices, branch plants, fabrication plants, tool yards, and other establishments that are part of a contractor's or subcontractor's general business operations.
5. **Owner-Operators.** Hauling of materials for the project by bona fide truck owner-operators who are listed as such on the certified payroll of the Contractor or approved subcontractor is not considered subcontracting for purposes of AS 36.30.115.

The Contractor shall ensure that the required prompt payment provisions of AS 36.90.210 are included in contracts with owner-operators.

The Contractor shall collect and maintain at the project site current and valid copies of the following to prove that each trucker listed is a bona fide owner-operator.

- a. Alaska Driver's License with appropriate CDL class and endorsements;
- b. Business license for trucking with supporting documents that list the driver as the business owner or corporate officer;
- c. Documents showing the driver's ownership interest in the truck, including copies of:
  - (1) Truck registration; and
  - (2) Lease (if truck is not registered in driver's name or in the name of the driver's company).

The Contractor shall maintain legible copies of these records for a period of at least three years after final acceptance of the project.

Owner-operators must qualify as independent contractors under the current Alaska Department of Labor's criteria. Owner-operators may be required to show:

- a. The owner-operator's right to control the manner in which the work is to be performed;
- b. The owner-operator's opportunity for profit or loss depending upon their managerial skill;
- c. The owner-operator's investment in equipment or materials required for their task, or the employment of helpers;
- d. Whether the service rendered requires a special skill;
- e. The degree of permanence of the working relationship; and
- f. Whether the service rendered is an integral part of the owner-operator's business.

The status of owner-operators is subject to evaluation throughout the project period. If the criteria for an independent contractor are not met, the Contractor shall submit amended payrolls listing the driver as an employee subject to all labor provisions of the Contract.

The Contractor shall issue each owner-operator a placard in a form approved by the Engineer that identifies both the truck driver and the vehicle. The placard shall be prominently displayed on the vehicle so that it is visible to scale operators and inspectors.

Notwithstanding the Department's definitions of contracting and subcontracting, the Contractor shall be responsible for determining and complying with all federal and state laws and regulations regarding contracting, subcontracting, and payment of wages. The Contractor shall promptly pay any fines or penalties assessed for violations of those laws and regulations, and shall promptly comply with the directives of any government agency having jurisdiction over those matters.

E102-030512

Special Provision

**108-1.03 PROSECUTION AND PROGRESS.** Delete the last sentence of the first paragraph and substitute the following:

Submit the following at the Preconstruction Conference:

CR261-121302

## SECTION 109

### MEASUREMENT AND PAYMENT

#### Special Provisions

**109-1.02 MEASUREMENT OF QUANTITIES.** Under subtitle Electronic Computerized Weighing System Item (1) add the following to the end of the first sentence:

", CD, or a USB device."

**109-1.05 COMPENSATION FOR EXTRA WORK ON TIME AND MATERIALS BASIS.** Under Item 3. Equipment, Item a. add the following to the second paragraph:

The rental rate area adjustment factors for this project shall be as specified on the adjustment maps for the Alaska – South Region.

CR14-043105

#### Standard Modification

Delete Subsection 109-1.06 in its entirety and replace with the following:

**109-1.06 PROGRESS PAYMENTS.** The Department will make monthly progress payments to the Contractor based on estimates of the value of work performed and materials on hand under Subsection 109-1.07. At the Departments discretion, a progress payment may be made twice monthly if the value of the estimate exceeds \$10,000.

Contractor's failure to pay subcontractors or subcontractor's failure to pay lower tier subcontractors, according to prompt payment provisions required under Subsection 108-1.01 is considered unsatisfactory performance.

The Department will not withhold payment as retainage but may withhold payment for unsatisfactory performance. If satisfactory progress is being made and subcontractors are paid according to Subsection 108-1.01 and AS 36.90.210, the Engineer will authorize 100 percent payment for the estimated value of work accomplished, less any authorized deductions.

If the Engineer finds that satisfactory progress is not being made or payment for satisfactory work by a subcontractor or lower tier subcontractor is not paid according to Subsection 108-1.01, the Engineer may withhold up to 100 percent of the total amount earned from subsequent progress payments. The Engineer may withhold up to 200 percent of the estimated cost to complete final punch list items for unsatisfactory performance until those items are complete. The Engineer will notify the Contractor in writing within eight (8) working days of a request for a progress payment of the reasons why part or all of the payment is being withheld for unsatisfactory performance and what actions may be taken by the Contractor to receive full payment.

Payments of withheld amounts will be made in accordance with AS 36.90.200. No interest will be paid to the Contractor for amounts withheld for unsatisfactory performance except if the Department fails to pay the amount withheld within twenty one (21) calendar days after the Contractor satisfactorily completes the remedial actions identified by the Engineer, as provided in AS 36.90.200(e).

The Contractor shall pay interest on retainage withheld from subcontractors, and at an interest rate according to AS 36.90.250 and AS 45.45.010(a).

E103-030512

**109-1.08 FINAL PAYMENT.** Add the following sentence to the first paragraph:

The Department will not process the final estimate until the Contractor completes Items 1 through 4 in the first paragraph of Subsection 105-1.16.

E11-063004

## Special Provisions

Add the following Section:

## SECTION 120

### DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

**120-1.01 DESCRIPTION.** The work consists of providing Disadvantaged Business Enterprises (DBEs), as defined in Title 49, CFR (Code of Federal Regulations), Part 26, the opportunity to participate fairly with other contractors in the performance of contracts financed with federal funds. The Contractor and subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Contract. The Contractor will carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT assisted contracts.

**120-1.02 INTERPRETATION.** This Section implements the requirements of 49 CFR, Part 26, and the Department's federally approved DBE Program.

**120-1.03 ESSENTIAL CONTRACT PROVISION.** Failure to comply with the provisions of this Section is a material breach of contract, which may result in contract termination or other remedy as DOT&PF deems appropriate. Failure to comply with this Section is justification for debarment action as provided in AS 36.30.640(4).

#### 120-1.04 DEFINITIONS AND TERMS.

1. **Administrative Reconsideration.** A process by which the low bidder may request reconsideration when the Department determines the Good Faith Effort (GFE) requirements have not been met.
2. **Broker.** A certified DBE for the delivery of creditable materials, supplies, equipment, transportation/hauling, insurance, bonding, etc., within its certified category, that is necessary to complete the project. A broker of materials certified in a supply category must be responsible for scheduling the delivery of materials and ensuring that the materials meet specifications before credit will be given.
3. **Civil Rights Office.** The Department's Civil Rights Office.
4. **Contract Compliance Officer.** Individual within the Civil Rights Office with the authority to administer the Department's compliance programs.
5. **Disadvantaged Business Enterprise.** A Disadvantage Business Enterprise which is a for-profit small business concern that is certified in accordance with 49 CFR, Part 26 and listed in the Alaska DBE Directory.
6. **DBE Key Employee.** A permanent, year-round employee of the DBE and whose name is on file with the Civil Rights Office as a key employee. A key employee may act as an on-site representative when the owner is not on-site.
7. **DBE Utilization Goal.** The percent of work to be performed by certified DBEs. The goal is established by the Department and specified in the Contract.
8. **DBE Officer.** Individual designated in writing as a representative of the Contractor concerning DBE issues.
9. **Manufacturer.** A DBE certified in a supply category that changes the shape, form, or composition of original material in some way. The DBE must provide that material to the general public or the construction industry at large on a regular basis.
10. **Race Conscious Participation.** DBE participation used to meet a specified DBE Utilization Goal.

11. **Race Neutral Participation.** DBE participation that is in excess of the specified DBE Utilization Goal.

12. **Regular Dealer.** A DBE certified in a supply category who operates in a manner consistent with industry practice and who:

- a. maintain an in-house inventory on a regular basis of the particular product provided to this project; and
- b. keeps an inventory in an amount appropriate for the type of work using that product; and
- c. offers that inventory for sale to the general public or construction industry at large (private and public sectors), not just supplied as needed on a project by project basis during the construction season, except where the product requires special or heavy equipment for delivery and the DBE possesses and operates this equipment on a regular basis throughout the construction season in order to deliver the product to the general public or construction industry at large. If the distribution equipment is rented or leased, it must be on a repetitive, seasonal basis; and may additionally fabricate (assemble large components) for use on a construction project, consistent with standard industry practice, for delivery to the project.
- d. a person may be a regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or maintaining a place of business, if the person both owns and operates distribution equipment for the products. Any supplementing of regular dealers' own distribution equipment shall be by a long-term lease agreement and not on an ad hoc or contract-by-contract basis.

**120-2.01 MEETING THE DBE UTILIZATION GOAL.** A DBE's proposed work may be used to demonstrate the successful bidder's ability to meet the DBE Utilization Goal before Contract award. The DBE must be certified in a category covering the Commercially Useful Function to be performed at the time of listing on Form 25A-325C (DBE Utilization Report).

A bidder may meet the DBE Utilization Goal through (1) the participation of certified DBE firms, or (2) documentation of required Good Faith Effort (Subsection 120-3.01), or (3) a combination of participation and Good Faith Effort to be eligible for Contract award.

DBE participation on contingent sum items will count as RACE Neutral DBE participation and not towards fulfilling a minimum DBE Utilization Goal, which is RACE Conscious DBE participation.

#### **120-3.01 DETERMINATION OF COMPLIANCE.**

1. **Phase I-Bid.** All DBE Good Faith Efforts must be completed prior to bid opening.
2. **Phase II-Award.** The apparent low bidder shall submit evidence of DBE commitment(s) within five working days after receipt of written notification by the Department of the successful low bid. The apparent low bidder may not supplement its DBE efforts after opening, nor may offer new or additional DBE participation after submitting the DBE Utilization Report (Form 25A-325C).
  - a. **Written DBE Commitment:** Complete Form 25A-326 for each DBE subcontractor.
  - b. **DBE Utilization Report.** Submit a completed DBE Utilization Report Form 25A-325C listing certified DBEs to be used to meet the DBE Utilization Goal.
  - c. **Good Faith Effort Documentation.** Submit a completed Summary of Good Faith Effort Documentation Form 25A-332A (with attachments) and contact Report Form 25A-321A if the DBE Utilization Goal is not demonstrated on Form 25A-325C.

If the bidder cannot demonstrate the ability to meet the DBE Utilization Goal, and cannot document the minimum required Good Faith Effort (as specified below), the Contracting Officer will determine the bidder to be not responsible.

**120-3.02 GOOD FAITH EFFORTS (GFE).**

1. **Good Faith Effort Criteria.** When a bidder fails to meet DBE Utilization Goals, the Civil Rights Office will use the following criteria to judge whether they have demonstrated sufficient Good Faith Effort to be eligible for award of the Contract.

- a. **Consider All Subcontractable Items.** The bidder shall, at a minimum, seek DBE participation for each of the subcontractable items with an established DBE goal as identified on Form 25A-324, before bid opening. It is the bidder's responsibility to facilitate DBE participation by making the work listed on the subcontractable items list available to DBE firms.

If the bidder cannot achieve the DBE Utilization Goal, then the bidder may also consider other items not listed that could be subcontracted to DBEs.

- b. **Initial DBE Notification.** All DBEs listed in the Department's current DBE Directory that have a "Yes" Under Required GFE Contact and "Yes" under the specific Work Area (Region) must be contacted at least seven calendar days prior to bid opening. DBEs certified to perform work items identified on Form 25A-324 must be contacted to solicit their interest. Each contact with a DBE firm will be logged on a Contact Report, Form 25A-321A.

The bidder must give DBEs at least five calendar days to respond. The bidder may reject DBE quotes received after the deadline. Such a deadline for bid submission by DBEs will be consistently applied.

The only acceptable methods of initial and follow up notification are:

- 1) By fax with a confirmation receipt of successful transmission to the DBE's fax number listed in the DBE Directory. A fax transmission without receipt of successful transmission is unsatisfactory.
  - 2) By email with a confirmation of successful receipt by DBE's email address listed in the DBE Directory. Email without confirmation of successful receipt is unsatisfactory.
  - 3) By U.S. Mail to the DBE's address listed in the DBE Directory with a return receipt requested. Letters mailed without a return receipt signed by the DBE or DBE Key employee are unsatisfactory. Delivery confirmation with evidence of successful delivery is an acceptable substitute for Return Receipt.
  - 4) By telephone solicitation with a record of the date and time of the telephone call made to the DBE's telephone number listed in the DBE Directory. Telephone solicitation without a record of date and time is unsatisfactory.
- c. **Non-Competitive DBE Quotes.** DBE quotes more than 10 percent higher than an accepted non-DBE quote will be deemed non-competitive, provided they are for the exact same work or service.

All evidence in support on a non-competitive bid determination must be provided at the time of the Good Faith Effort submittal. When a DBE quote is rejected as being non-competitive, the work must be performed by the non-DBE subcontractor whose quote was used to provide the basis of the determination. Payments received by the non-DBE subcontractor during the execution of the Contract shall be consistent with the accepted quote. This does not preclude increases due to change documents issued by the Department.

- d. **Assistance To DBEs.** Contractors must provide DBEs with:
  - 1) Information about bonding or insurance required by the bidder.
  - 2) Information about securing equipment, supplies, materials, or related assistance or services.

- 3) Adequate information about the requirements of the Contract regarding the specific item work or service sought from the DBE.

- e. **Follow-up DBE Notifications.** Contact the DBEs to determine if they will be bidding. For acceptable forms of notification and required documentation see 120-3.02, subsection 1.b items 1 through 4.

Failure to submit a bid by the deadline is evidence of the DBE's lack of interest in bidding. Documentation of follow-up contacts shall be logged on the Contact Report, Form 25-321A.

- f. **Good Faith Effort Evaluation.** Subsections (a) through (e) must be completed for a Good Faith Effort based submission to be considered. Failure to perform and document actions contained in subsection (a) through (e) constitutes insufficient Good Faith Effort. After submitting a Good Faith Effort, bidders may only clarify efforts taken before opening. No new efforts or additional DBE participation is permitted after opening.
2. **Administrative Reconsideration.** 49 CFR Part 26.53(d) provides an opportunity for administrative reconsideration when the Department determines that Good Faith Effort is insufficient. This opportunity must be exercised within three working days of notification that Good Faith Efforts were unsatisfactory. For reconsideration, the bidder must provide written documentation or argument concerning efforts to meet the DBE Utilization Goal. No new or additional contact information may be provided. Only contact information the bidder provided in support of its initial request for a Good Faith Effort determination by the Civil Rights Office may be presented to support the request for administrative reconsideration.

The process for an Administrative Reconsideration is as follows:

- a. The bidder will have the opportunity to meet with the DBE Liaison Officer in person to discuss the issue. If so desired, the bidder must be ready to meet with the DBE Liaison Officer within four working days of receipt of notice that it failed to meet the requirements of this subsection.
  - b. The DBE Liaison Officer will render a written decision and provide notification to the bidder within four working days after the meeting. The written decision will explain the basis for finding.
  - c. The finding of the DBE Liaison Officer cannot be appealed to the U.S. DOT.
3. **Phase III-Construction.**
    - a. **DBE Creditable Work.** The Commercially Useful Function work items and creditable dollar amounts shown for a DBE on the DBE Utilization Report, Form 25A-325C, shall be included in any subcontract, purchase order of service agreement with that DBE.
    - b. **DBE replacement.** The Contractor shall submit a written request to replace a DBE to the Engineer. If approved, the Contractor shall replace the DBE with another DBE for the same work in order to fulfill its commitment under the DBE Utilization Goal. If the Engineer and the Civil rights Office agree that the criteria of Subsection 120-3.04 have been met, the DBE may be replaced by the Contractor with a non-DBE subcontractor.
    - c. **DBE Utilization Goal Adjustment.** The DBE Utilization Goal will be adjusted only if a DBE replacement is approved by the Engineer, and only to the extent the Contractor cannot obtain another DBE subcontractor to perform the work.

**120-3.03 COMMERCIALLY USEFUL FUNCTION.**

1. **Creditable Work.** Measuring the DBE Utilization Goal will be based upon the actual amount of money received by the DBEs for creditable Commercially Useful Function work on this project. This is determined by the Engineer in accordance with this Section.

Commercially Useful Function is limited to:

- a. Prime Contractors;
- b. Subcontractors;
- c. Manufacturers;
- d. Regular Dealers;
- e. Brokers; or
- f. Joint Ventures

2. **Determination of Commercially Useful Function.** In order for the Commercially Useful Function work of the DBE to be credited toward the goal, the Contractor will ensure that the DBE is certified in the appropriate category at the time of the submittal of the subcontract, or the issuance of a purchase order or service agreement. Subcontracts, purchase orders and service agreements shall be consistent with written DBE commitment.

- a. The Commercially Useful Function performed by a DBE certified in a supply category will be evaluated by the Engineer to determine whether the DBE performed as either a broker, a regular dealer, or manufacturer of the product provided to this project.
- b. The following factors will be used in determining whether a DBE trucking company is performing a Commercially Useful Function:
  - 1) The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract, and there cannot be a contrived arrangement for the purpose of meeting DBE goals.
  - 2) The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Contract.
  - 3) The DBE receives credit for the total value of the transportation services it provides on the Contract using trucks it owns, insures, and operates using drivers it employs.
  - 4) The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Contract.
  - 5) The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit for the total value of transportation services provided by non-DBE lessees not to exceed the value of transportation services provided by DBE-owned trucks on the Contract. Additional participation by non-DBE lessees receives credit only for the fee or commission it receives as a result of the lease arrangement.
  - 6) A lease must indicate the DBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.



- c. The Contractor will receive credit for the Commercially Useful Function performed by DBEs as provided in this Section. Contractors are encouraged to contact the Engineer in advance of the execution of the DBE's work or provision of goods or services regarding Commercially Useful Function and potential DBE credit.
- d. The DBE may perform work in categories for which it is not certified, but only work performed in the DBE's certified category meeting the Commercially Useful Function criteria may be credited toward the DBE Utilization Goal.
- e. DBE work shall conform to the following requirements to be a Commercially Useful Function:
  - 1) It will be necessary and useful work required for the execution of the Contract.
  - 2) The scope of work will be distinct and identifiable with specific contract items of work, bonding, or insurance requirements.
  - 3) It will be performed, controlled, managed, and supervised by employees normally employed by and under the control of the certified DBE. The work will be performed with the DBE's own equipment. Either the DBE owner or DBE On-Site Representative will be at the work site and responsible for the work.
  - 4) The manner in which the work is sublet or performed will conform to standard industry practice within Alaska, as determined by the Department. The work or provision of goods or services will have a market outside of the DBE program (must also be performed by non-DBE firms within the Alaskan construction industry). Otherwise, the work or service will be deemed an unnecessary step in the contracting or purchasing process and no DBE credit will be allowed.

There will be no DBE credit for lower-tier non-DBE subcontract work.

- 5) The cost of the goods and services will be reasonable and competitive with the cost of goods and services outside the DBE program within Alaska. Materials or supplies needed as a regular course of the Contractor's operations such as fuel, maintenance, office facilities, portable bathrooms, etc. are not creditable.

The cost of materials actually incorporated into the project by a DBE subcontractor is creditable toward the DBE goal only if the DBE is responsible for ordering and scheduling their delivery and fully responsible for ensuring that they meet specifications. The cost of materials purchased from the Contractor or its affiliates is not creditable.

- 6) Subcontract work, with the exception of truck hauling, shall be sublet by the same unit of measure as is contained in the Bid Schedule unless approved in advance by the Engineer.
- 7) The DBE will control all business administration, accounting, billing and payment transactions. The Contractor cannot perform these functions for the DBE.

In accordance with AS 36.30.420(b), the Engineer may inspect the offices of the DBE and audit their records to assure compliance.

- 3. **Rebuttal of a Finding of No Commercially Useful Function.** Consistent with the provisions of 49 CFR, Part §26.55(c)(4)&(5), before the Engineer makes a final finding that no Commercially Useful Function has been performed by a DBE, the Engineer will coordinate transmittal of the presumptive finding through the Civil Rights Office to the Contractor, who will in-turn, notify the DBE. The Contractor will provide the DBE the opportunity to provide rebuttal information. The Contractor shall present the information to the Engineer.

The Engineer, together with the Civil Rights Office, will make a final determination on whether the DBE is performing a Commercially Useful Function. Under no circumstances will the Contractor take any action with respect to the DBE until the final determination is made. The Engineer's decisions on Commercially Useful Function matters are subject to review by the Department, but are not administratively appealable to the US DOT.

4. **Monthly Required Reporting.** On a monthly basis, the Contractor shall submit the Monthly Summary of Disadvantaged Business Enterprise Participation, Form 25A-336, to the Civil Rights Office. Reports are due by the 15<sup>th</sup> of the following month. Also attach copies of canceled checks or bank statements that identify payer, payee, and amount of transfer to verify payment information shown on the form.
5. **Removal of DBE Certification.** Should a DBE performing a Commercially Useful Function lose its DBE certification during the term of the subcontract, purchase order, or service agreement for reasons beyond the control of and without the fault or negligence of the Contractor, the work remaining under the subcontract, purchase order, or service agreement may be credited toward the DBE Utilization Goal.

The Contractor must still meet the DBE Utilization Goal by expending Good Faith Effort (Subsection 120-3.03, 2.) and either:

- a. Withdrawing the subcontract, purchase order or service agreement from the decertified DBE to replace it with a currently certified DBE for that same work or service; or
- b. Continuing with the subcontract, purchase order or service agreement with the decertified firm and finding other work not already committed to DBEs in an amount that meets the DBE Utilization Goal.

**120-3.04 TERMINATION OF A DBE SUBCONTRACT.** In accordance with 49 CFR 26.53(f)(1) the Contractor shall not terminate a DBE subcontractor without the written consent of the DBE Liaison Officer. This includes, but is not limited to, instances in which the Contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm. The Contractor must give the DBE subcontractor written notice of an approved subcontract termination.

**120-3.05 DEFAULT OF DBE.** If a DBE defaults on their obligation for any reason, the Contractor shall take immediate steps to retain the services of other DBEs to perform the defaulted work. If the Contractor cannot obtain replacement DBE participation, the DBE Utilization Goal will not be adjusted. However, the Engineer may consider the following criteria as satisfying that portion of DBE participation that cannot be replaced:

1. The Contractor was not at fault or negligent in the default and that the circumstances surrounding the default were beyond the control of the Contractor; and
2. The Contractor is unable to find replacement DBE participation at the same level of DBE commitment and has adequately performed and documented the Good Faith Effort expended in accordance with Subsection 120-3.03 for the defaulted work; or
3. It is too late in the project to provide any real subcontracting opportunities for DBEs.

If a DBE firm defaults on their work for whatever reason, the Contractor shall immediately notify the Engineer of the default and the circumstances surrounding it.

**120-4.01 DETERMINING DBE CREDIT.** The Contractor is entitled to count toward the DBE Utilization Goal those monies actually paid to certified DBEs for Commercially Useful Function work performed by the DBE as determined by the Engineer. The Contractor will receive credit for the utilization of the DBEs, as follows:

1. Credit for the Commercially Useful Function of a DBE prime contractor is 100 percent of the monies actually paid to the DBE under the Contract for creditable work and materials in accordance with 49 CFR 26.55.
2. Credit for the Commercially Useful Function of a subcontractor is 100 percent of the monies actually paid to the DBE under the subcontract for creditable work and materials.
3. Credit for the Commercially Useful Function of a subcontractor performing hauling/transportation is 100 percent of the monies actually paid to the DBE under the subcontract for creditable work for those firms certified in the 100 percent credit category. Leasing trucks from another DBE firm also qualifies for credit and must conform to the provisions of 49 CFR 26.55(d). Credit for the Commercially Useful Function of a subcontractor performing hauling/transportation is 5 percent of the monies actually paid to the DBE under the subcontract for creditable work for those firms certified in the 5 percent credit category.
4. Credit for the Commercially Useful Function of a manufacturer is 100 percent of the monies paid to the DBE for the creditable materials manufactured.
5. Credit for the Commercially Useful Function of a regular dealer of a creditable material, product, or supply is 60 percent of its value. The value is the actual cost paid to the DBE not to exceed the bid price for such item.
6. Credit for the Commercially Useful Function of a broker performed by a DBE certified in a supply category for providing a creditable material, product or supply is limited to a reasonable brokerage fee. The brokerage fee will not exceed 5 percent of the cost of the procurement contract for the creditable item.
7. Credit for the Commercially Useful Function of a broker performed by a DBE certified in a bonding or insurance category is limited to a reasonable brokerage fee, not to exceed 5 percent of the premium cost.
8. Credit for the Commercially Useful Function of a joint venture (JV) either as the prime contractor or as a subcontractor may not exceed the percent of the DBE's participation in the JV agreement, as certified by the Civil Rights Office. The DBE joint venture partner will be responsible for performing all of the work as delineated in the certified JV agreement.

**120-5.01 ACHIEVEMENT OF DBE GOALS.** Work under this item is subsidiary to other contract items and no payment will be made for meeting or exceeding the DBE Utilization Goal.

If the Contractor fails to utilize the DBEs listed on Form 25A-325C as scheduled or fails to submit proof of payment, requested documentation, or otherwise cooperate with a DBE review or investigation, the Department will consider this to be unsatisfactory work. If the Contractor fails to utilize Good Faith Effort to replace a DBE, regardless of fault (except for Subsection 120-3.05 item 3), the Department will also consider this unsatisfactory work. Unsatisfactory work may result in disqualification of the Contractor from future bidding under Subsection 102-1.13 and withholding of progress payments consistent with Subsection 109-1.06.

S97-030512

**SECTION 201****CLEARING AND GRUBBING**

Add the following:

Perform the work necessary to preserve and/or restore land monuments and property corners from damage. Restore land monuments and/or property corners that are disturbed according to Section 642. An undisturbed area five feet in diameter may be left around existing monuments and property corners.

CR2013-042313

Add the following:

Clearing and grubbing is not permitted within the migratory bird window of May 1 to July 15; except as permitted by Federal, State and local laws approved by the Engineer.

CR2011-033012

**201-5.01 BASIS OF PAYMENT.** Add the following:

The work required to preserve and restore land monuments and property corners is subsidiary to 201 Pay Items.

CR2013-042313

## SECTION 615

### STANDARD SIGNS

#### Special Provisions

**615-2.01 MATERIALS.** Delete first paragraph of Item 2. Including subitems a., b., c., and replace with:

2. Sign Fabrication. Use Type IV reflective sheeting (for lettering symbols, borders, and background) on sheet aluminum panels for all signs except the following:
  - a. Orange Background Signs. Use Type IX fluorescent orange reflective sheeting placed on sheet aluminum panels, except:
    - (1) For temporary installations, the reflective sheeting may be placed on aluminum, plastic, or plywood sheet panels.
    - (2) For flexible signs, (Roll-Up Signs) use fluorescent reflective sheeting Type VI or better (based on durability and reflectivity, as determined by the Engineer). Roll-Up Sign – 3M Series RS 24, Reflexite Marathon Orange, or approved equal.
  - b. Railroad Crossbucks and Vertical Crossbuck Supports. Use white Type VIII or Type IX reflective sheeting for background of sign and stripes.
  - c. Non-illuminated Overhead Signs with White Legends on Green Backgrounds. Use Type IX reflective sheeting for legends and background. Create the legend in one of the following ways:
    - (1) Cut border and legend from white Type IX reflective sheeting and adhere to a green Type IX background, or
    - (2) Cut stencil of border and legend out of green transparent acrylic film and use transparent adhesive to overlay the film on a white Type IX reflective background.
  - d. Fluorescent Yellow Green School Area Signs. Use Type VIII or Type IX reflective sheeting for background.

Reflective Sheeting Warranty. Supply manufacturer's warranty for reflective sheeting including retention of fluorescent yellow green (measured according to ASTM E 2301) for ten years according to the following criteria:

- Minimum Fluorescent Luminance Factor:  $Y_F = 20\%$
- Minimum Total Luminance Factor:  $Y_T = 35\%$

The warranty shall stipulate: If the sheeting fails to meet the minimum fluorescence values within the first 7 years from the date of fabrication, the manufacturer shall, at the manufacturer's expense, restore the sign surface to its original effectiveness. If the reflective sheeting fails to meet the minimum fluorescence values within the 8<sup>th</sup> through the 10<sup>th</sup> year from the date of fabrication, the manufacturer shall, at the manufacturer's expense, provide enough new replacement sign sheeting to the Department to restore the sign surface to its original effectiveness.

CR6151-091311

#### 615-3.01 CONSTRUCTION REQUIREMENTS.

7. Add the following after the first paragraph:

Deliver salvaged signs panels, posts, and hardware to the Municipality of Anchorage sign shop, located at:

\_\_\_\_\_.

CR6152-091311

**615-4.01 METHOD OF MEASUREMENT.** Replace the 3<sup>rd</sup> paragraph, "Delineators," with:

Delineators. By each, complete in place. A single delineator consists of one post equipped with three reflectors.

CR6153-091311

**SECTION 640****MOBILIZATION AND DEMOBILIZATION**

## Special Provisions

**640-4.01 METHOD OF MEASUREMENT.** Delete the numbered paragraph 3 and substitute the following:

3. The remaining balance of the amount bid for Mobilization and Demobilization will be paid after all submittals required under the Contract are received and approved.

CR6401-033012

## Special Provisions

Replace Section 641 with the following:

## SECTION 641

### EROSION, SEDIMENT, AND POLLUTION CONTROL

#### 641-1.01 DESCRIPTION.

Provide project administration and Work relating to control of erosion, sedimentation, and discharge of pollutants, according to this section and applicable local, state, and federal requirements, including the Construction General Permit.

#### 641-1.02 DEFINITIONS.

These definitions apply only to Section 641.

**Active Treatment System Operator.** The Contractor's qualified representative who is responsible for maintaining and operating an active treatment system (as defined in the CGP) for storm water runoff.

**Alaska Certified Erosion and Sediment Control Lead (AK-CESCL).** A person who has completed training, testing, and other requirements of, and is currently certified as, an AK-CESCL from an AK-CESCL Training Program (a program developed under a Memorandum of Understanding between the Department and others). The Department recognizes AK-CESCLs as "qualified personnel" required by the CGP. An AK-CESCL must be recertified every three years.

**Alaska Department of Environmental Conservation (ADEC).** The state agency authorized by EPA to administer the Clean Water Act's National Pollutant Discharge Elimination System.

**Alaska Pollutant Discharge Elimination System (APDES).** A system administered by ADEC that issues and tracks permits for storm water discharges.

**Best Management Practices (BMPs).** Temporary or permanent structural and non-structural devices, schedules of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or minimize the discharge of pollutants to waters of the United States. BMPs also include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage.

**Clean Water Act (CWA).** Federal Water Pollution Control Amendments of 1972, as amended (33 U.S.C. 1251 et seq.).

**Consent Decree.** The decree entered by the United States District Court for the District of Alaska on September 21, 2010, regarding compliance with the CWA and implementation of the CGP, to which the United States and the Department are parties.

**Construction Activity.** Physical activity by the Contractor, Subcontractor, or utility company; that may result in erosion, sedimentation, or a discharge of pollutants into storm water. Construction Activity includes soil disturbing activities (e.g. clearing, grubbing, grading, excavating); and establishment of construction materials or equipment storage or maintenance areas (e.g. material piles, borrow area, concrete truck chute washdown, fueling); and industrial activities that may discharge storm water and are directly related to the construction process (e.g. concrete or asphalt batch plants).

**Construction General Permit (CGP).** The permit authorizing storm water discharges from Construction Activities, issued and enforced by ADEC. It authorizes stormwater discharges provided permit conditions and water quality standards are met.



**Corp of Engineers Permit (COE Permit).** A U.S. Army Corp of Engineers Permit for construction in waters of the US. Such permit may be issued under Section 10 of the Rivers and Harbors Act of 1899, or Section 404 of the Clean Water Act.

**Electronic Notice of Intent (eNOI).** The electronic Notice of Intent submitted to ADEC, to obtain coverage under the CGP.

**Electronic Notice of Termination (eNOT).** The electronic Notice of Termination submitted to ADEC, to end coverage under the CGP.

**Environmental Protection Agency (EPA).** A federal agency charged to protect human health and the environment.

**Erosion and Sediment Control Plan (ESCP).** The Department's project specific document that illustrates measures to control erosion and sediment on the project. The ESCP provides bidders with the basis for cost estimating and guidance for developing an acceptable Storm Water Pollutant Prevention Plan (SWPPP).

**Final Stabilization.** Is defined in this section as it is defined in the CGP.

**Hazardous Material Control Plan (HMCP).** The Contractor's detailed project specific plan for prevention of pollution from storage, use, transfer, containment, cleanup, and disposal of hazardous material (including, but are not limited to, petroleum products related to construction activities and equipment). The HMCP is included as an appendix to the SWPPP.

**Inspection.** An inspection required by the CGP or the SWPPP, usually performed together by the Contractor's SWPPP Manager and Department's Stormwater Inspector.

**Municipal Separate Storm Sewer System (MS4) Permit.** An ADEC storm water discharge permit issued to certain local governments and other public bodies, for operation of storm water conveyances and drainage systems. See CGP for further definition.

**Multi-Sector General Permit (MSGP).** The Alaska Pollutant Discharge Elimination System General Permit for storm water discharges associated with industrial activity.

**Operator(s).** The party or co-parties associated with a regulated activity that has responsibility to obtain permit coverage under the CGP. "Operator" for the purpose of the CGP and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

**Pollutant.** Any substance or item meeting the definition of pollutant contained in 40 CFR § 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, wrecked or discarded equipment, rock, sand, cellar dirt and industrial or municipal waste.

**Project Zone.** The physical area provided by the Department for Construction. The Project Zone includes the area of highway or facility under construction, project staging and equipment areas, and material and disposal sites; when those areas, routes and sites, are provided by the Department by the Contract and are directly related to the Contract.

Material sites, material processing sites, disposal sites, haul routes, staging and equipment storage areas; that are furnished by the Contractor or a commercial operator, are not included in the Project Zone.

**Records.** Any record, report, information, document, or photograph required to be created or maintained pursuant to the requirements of the Consent Decree, the CGP, the CGP storm water requirements of the Clean Water Act; and applicable local, state, and federal laws and regulations regarding document preservation.

**Spill Prevention, Control, and Countermeasure Plan (SPCC Plan).** The Contractor's detailed plan for petroleum spill prevention and control measures that meet the requirements of 40 CFR 112.

**Spill Response Field Representative.** The Contractor's representative with authority and responsibility for managing, implementing, and executing the HMCP and SPCC Plan.

**Storm Event.** A rainfall event that produces more than 0.5 inch of precipitation in 24 hours and that is separated from the previous storm event by at least 3 days of dry weather.

**Storm Water Pollution Prevention Plan (SWPPP).** The Contractor's detailed project specific plan to minimize erosion and contain sediment within the Project Zone, and to prevent discharge of pollutants that exceed applicable water quality standards. The SWPPP includes, but is not limited to, amendments, records of activities, inspection schedules, and reports, qualifications of key personnel, and all other documentation, required by the CGP and this specification, and other applicable local, state, and federal laws and regulations.

**Storm Water Pollution Prevention Plan Two (SWPPP2).** The Contractor's detailed project specific plan to comply with CGP or MSGP requirements, for Contractor construction-related activities outside the Project Zone.

**Subcontractor Spill Response Coordinator.** The subcontractor's representative with authority and responsibility for coordinating the subcontractor's activities in compliance with the HMCP and SPCC Plan.

**Subcontractor SWPPP Coordinator.** The subcontractor's representative with authority to direct the subcontractor's work, and who is responsible for coordination with the Superintendent and SWPPP Manager, and for the subcontractor's compliance with the SWPPP.

**Superintendent.** The Contractor's duly authorized representative in responsible charge of the work. The Superintendent has responsibility and authority for the overall operation of the Project and for Contractor furnished sites and facilities directly related to the Project.

**SWPPP Amendment.** A revision or document that adds to, deletes from, or modifies the SWPPP.

**SWPPP Manager.** The Contractor's qualified representative who conducts Inspections, updates SWPPP records, and has authority to suspend work and to implement corrective actions required for CGP compliance.

**SWPPP Preparer.** The Contractor's qualified representative who is responsible for developing the initial SWPPP.

**Utility Spill Response Coordinator.** The Utility's representative with authority and responsibility for coordinating the Utility's activities in compliance with the HMCP and SPCC Plan.

**Utility SWPPP Coordinator.** The Utility's representative with authority to direct the Utility's work, and who is responsible for coordination with the Superintendent and SWPPP Manager, and for the Utility's compliance with the SWPPP.

### 641-1.03 PLAN AND PERMIT SUBMITTALS.

For plans listed in Subsection 108-1.03.5 (SWPPP and HMCP) use the Contractor submission and Department review deadlines identified in Subsection 641-1.03.

Partial and incomplete submittals will not be accepted for review. Any submittal that is re-submitted or revised after submission, but before the review is completed, will restart the submittal review timeline. No additional Contract time or additional compensation will be allowed due to delays caused by partial or incomplete submittals, or required re-submittals.

1. Storm Water Pollution Prevention Plan. Submit an electronic copy and three hard copies of the SWPPP to the Engineer for approval. Deliver these documents to the Engineer at least 21 days before beginning Construction Activity. Organize and bind the SWPPP and related documents for submittal according to the requirements of Subsection 641-2.01.2.

The Department will review the SWPPP submittals within 14 days after they are received. Submittals will be returned to the Contractor, and marked as either "rejected" with reasons listed or as "approved" by the Department. When the submittal is rejected, the Contractor must revise and resubmit the SWPPP. The 14 day review period will restart when the contractor submits an electronic copy and three hard copies of the revised SWPPP to the Engineer for approval.

After the SWPPP is approved by the Department, the Contractor must sign and certify the approved SWPPP. See Item 4 for further SWPPP submittal requirements.

2. Hazardous Material Control Plan. Submit an electronic copy and three hard copies of the HMCP, as an appendix to the SWPPP, to the Engineer for approval. The HMCP submittal and review timeline, and signature requirements are the same as the SWPPP.
3. Spill Prevention, Control, and Countermeasure Plan. When a SPCC Plan is required under Subsection 641-2.03, submit an electronic copy and three signed hard copies of the SPCC Plan to the Engineer. Deliver these documents to the Engineer at least 21 days before beginning Construction Activity. The Department reserves the right to review the SPCC Plan and require modifications.
4. CGP Coverage. The Contractor is responsible for permitting of Contractor and subcontractor Construction Activities related to the Project. Do not use the SWPPP for Construction Activities outside the Project Zone where the Department is not an operator. Use a SWPPP2 for Construction Activities outside the Project Zone.

After Department approval of the SWPPP and prior to beginning Construction Activity, submit an eNOI with the required fee to ADEC for coverage under the Construction General Permit (CGP). Submit a copy of the signed eNOI and ADEC's written acknowledgement (by letter or other document), to the Engineer as soon as practicable and no later than three days after filing eNOI or receiving a written response.

Do not begin Construction Activity until the conditions listed in Subsection 641-3.01.1 are completed.

The Department will submit an eNOI to ADEC for Construction Activities inside the Project Zone. The Engineer will provide the Contractor with a copy of the Department's eNOI and ADEC's written acknowledgement (by letter or other document), for inclusion in the SWPPP.

Before Construction Activities occur, transmit to the Engineer an electronic copy of the approved and certified SWPPP, with signed Delegations of Signature Authorities, SWPPP Certifications, both permittee's signed eNOIs and ADEC's written acknowledgement.

5. Ending CGP Coverage. Submit an eNOT to ADEC within 30 days after the Engineer has determined the conditions listed in Subsection 641-3.01.6 have been met. Submit a copy of the signed eNOT and ADEC's acknowledgement letter to the Department within three days of filing the eNOT or receiving a written response.

6. ADEC SWPPP Review. When CGP Part 2.1.3, requires ADEC SWPPP review:
  - a. Transmit a copy of the Department-approved SWPPP to ADEC using delivery receipt confirmation;
  - b. Transmit a copy of the delivery receipt confirmation to the Engineer within seven days of receiving the confirmation; and
  - c. Retain a copy of delivery receipt confirmation in the SWPPP.
7. Local Government SWPPP Review. When local government or the CGP Part 2.1.4, requires local government review:
  - a. Transmit a copy of the Department-approved SWPPP and other information as required to local government, with the required fee. Use delivery receipt confirmation;
  - b. Transmit a copy of the delivery receipt confirmation to the Engineer within seven days of receiving the confirmation;
  - c. Transmit a copy of any comments by the local government to the Engineer within seven days of receipt;
  - d. Amend the SWPPP as necessary to address local government comments and transmit SWPPP Amendments to the Engineer within seven days of receipt of the comments;
  - e. Include a copy of local government SWPPP review letter in the SWPPP; and
  - f. File a notification with local government that the project is ending.
8. Modifying Contractor's eNOI. When required by The CGP Part 2.7, modify your eNOI to update or correct information. Reasons for modification include a change in start or end dates, small changes in number of acres to be disturbed, change in decision to use or not use treatment chemicals, or change in location of SWPPP Records.

The Contractor must submit an eNOT and then submit a new eNOI instead of an eNOI modification when: the operator has changed, the original eNOI indicates disturbed area less than five acres and the project will disturb more than five acres, or a project over five disturbed acres grows by more than 50%.

#### **641-1.04 PERSONNEL QUALIFICATIONS.**

Provide documentation in the SWPPP that the individuals serving in these positions meet the personnel qualifications.

The SWPPP Preparer must meet at least one of the following qualifications:

- a. Current certification as a Certified Professional in Erosion and Sediment Control (CPESC);
- b. Current certification as AK-CESCL, and at least two years experience in erosion and sediment control, as a SWPPP Manager or SWPPP writer, or equivalent. Provide documentation including project names, project timelines, and work responsibilities demonstrating the experience requirement; or
- c. Professional Engineer registered in the State of Alaska with current certification as AK-CESCL.

For Projects disturbing more than 20 acres, the SWPPP Preparer must also have completed a SWPPP Preparation course.

The Superintendent must meet the following qualifications:

- a. Current certification as AK-CESCL; and
- b. Duly authorized representative, as defined in the CGP, Appendix A, Part 1.12.3.

The SWPPP Manager must have current certification as AK-CESCL and must meet the CGP experience, training, and authority requirements identified for the Storm Water Lead and Storm Water Inspector positions as defined in the CGP, Appendix C, Qualified Person.

The Active Treatment System (ATS) operator must have current certification as AK-CESCL, and be knowledgeable in the principals and practices of treatment systems in general, and the operation of the project-specific ATS. The ATS operator must have at least three months field experience with ATS, or completion of an ATS manufacturer's training course, or completion of system operator's certification course.

The Department accepts people having any of the following certificates as equivalent to AK-CESCL, if the certificates are current according to the sponsoring organization's policies:

- a. CPESC, Certified Professional in Erosion and Sediment Control; or
- b. CISEC, Certified Inspector in Sediment and Erosion Control.

#### **641-1.05 SIGNATURE/CERTIFICATION REQUIREMENTS AND DELEGATIONS.**

1. eNOI and eNOT. The eNOI and eNOT must be signed and certified by a responsible corporate officer according to CGP Appendix A, Part 1.12.2. Signature and certification authority for the eNOI and eNOT cannot be delegated.
2. Delegation of Signature Authority for Other SWPPP Documents and Reports. Use Form 25D-108 to delegate signature authority and certification authority to the Superintendent position, according to CGP Appendix A, Part 1.12.3, for the SWPPP, Inspection Reports and other reports required by the CGP. The Superintendent position is responsible for signing and certifying the SWPPP, Inspection Reports, and other reports required by the CGP, except the eNOI and eNOT.

The Engineer will provide the Department's delegation Form 25D-107, which the Contractor must include in the SWPPP.

3. Subcontractor Certification. Subcontractors must certify that they have read and will abide by the CGP and the conditions of the project SWPPP.
4. Signatures and Initials. Handwrite signatures or initials on CGP documents and SWPPP forms, wherever a signature or initial is required.

#### **641-1.06 RESPONSIBILITY FOR STORM WATER PERMIT COVERAGE.**

1. The Department and the Contractor are jointly responsible for permitting and permit compliance within the Project Zone.
2. The Contractor is responsible for permitting and permit compliance outside the Project Zone. The Contractor has sole responsibility for compliance with ADEC, COE and other applicable federal, state, and local requirements, and for securing all necessary clearances, rights, and permits. Subsection 107-1.02 describes the requirement to obtain permits, and to provide permit documents to the Engineer.
3. An entity that owns or operates, a commercial plant (as defined in Subsection 108-1.01.3) or material source or disposal site outside the Project Zone, is responsible for permitting and permit compliance. The Contractor has sole responsibility to verify that the entity has appropriate permit coverage. Subsection 107-1.02 describes the requirement to obtain permits, and to provide permit documents to the Engineer.
4. The Department is not responsible for permitting or permit compliance, and is not liable for fines resulting from noncompliance with permit conditions:
  - a. For areas outside the Project Zone;
  - b. For Construction Activity and Support Activities outside the Project Zone; and
  - c. For commercial plants, commercial material sources, and commercial disposal sites.

#### **641-1.07 UTILITY.**

Relocation Coverage. A Utility company is not an Operator when utility relocation is performed concurrently with the Project, as outlined in Section 105-1.06. The Department maintains operational control over the Utility's plans and specifications for coordination with project construction elements, and the Contractor has day-to-day control over the various utility construction activities that occur in support of the Project. A Utility company is considered a subcontractor for concurrent relocation.

After the Contractor has an active NOI for the Project, a Utility Company performing advance relocation work under a separate SWPPP no longer has Operator status and files the NOT for the Utility Company's SWPPP covering only the completed utility work. Remaining utility relocation work is included in and performed under the Project SWPPP.

#### **641-2.01 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REQUIREMENTS.**

##### **1. SWPPP Preparer and Pre-Construction Site Visit.**

Use a SWPPP Preparer to develop the SWPPP and associated documents, according to the requirements of the CGP and COE permit. The SWPPP Preparer must put their name, qualifications (including the expiration date of any certifications), title and company name in the SWPPP.

The SWPPP Preparer must conduct a pre-construction inspection at the Project site before construction activity begins. If the SWPPP Preparer is not a Contractor employee, the SWPPP Preparer must visit the site accompanied by the Contractor. Give the Department at least seven days notice of the site visit, so that the Department may participate.

During the pre-construction inspection, the SWPPP Preparer must identify, or if a draft of the SWPPP has already been prepared verify that the SWPPP fully addresses and describes:

- Opportunities to phase construction activities;
- Appropriate BMPs and their sequencing; and
- Sediment controls that must be installed prior to beginning Construction Activities.

Document the SWPPP Preparer's pre-construction inspection in the SWPPP on Form 25D-106, SWPPP Pre-Construction Site Visit, including the names of attendees and the date.

##### **2. Developing the SWPPP.**

Use the Department's ESCP, Environmental commitments, and other Contract documents as a starting point for developing the SWPPP. The approved SWPPP replaces the ESCP.

Develop the SWPPP with sections and appendices, according to the current DOT&PF SWPPP template. Include information required by the Contract and the CGP.

Obtain the following forms after they have been completed by the Department and include them in the SWPPP:

- SWPPP Delegation of Signature Authority – DOT&PF (25D-107)
- SWPPP Certification for DOT&PF (25D-109)
- SWPPP Delayed Action Item Report (25D-113)

Use the following Department forms for recording information in the SWPPP:

- SWPPP Amendment Log (25D-114)
- SWPPP Certification for Contractor (25D-111)
- SWPPP Construction Site Inspection Report (25D-100)
- SWPPP Corrective Action Log (25D-112)
- SWPPP Daily Record of Rainfall (25D-115)
- SWPPP Delegation of Signature Authority – Contractor (25D-108)
- SWPPP Grading and Stabilization Activities Log (25D-110)
- SWPPP Pre-Construction Site Visit (25D-106)
- SWPPP Project Staff Tracking (25D-127)
- SWPPP Subcontractor Certification (25D-105)
- SWPPP Training Log (25D-125)

SWPPP Template and Forms are available online at:

[http://www.dot.state.ak.us/stwddes/dcsconst/pop\\_constforms.shtml](http://www.dot.state.ak.us/stwddes/dcsconst/pop_constforms.shtml)

Compile the SWPPP in three ring binders with tabbed and labeled dividers for each section and appendix.

### 3. SWPPP Considerations and Contents.

The SWPPP must provide erosion and sediment control measures for all Construction Activity within the Project Zone. Construction activity outside the Project Zone must have permit coverage, using a separate SWPPP2, and separate Contractor Inspections.

The SWPPP must consider the activities of the Contractor and all subcontractors and utility companies performing work in the Project Zone. The SWPPP must describe the roles and responsibilities of the Contractor, subcontractors, utility companies, and the Department with regard to implementation of the SWPPP. The SWPPP must identify all operators for the Project, including utility companies performing Construction Activity, and identify the areas:

- a. Over which each operator has operational control; and
- b. Where the Department and Contractor are co-operators.

For work outside the Project Zone, the SWPPP must identify the entity that has stormwater permit coverage, the operator, and the areas that are:

- a. Dedicated to the Project and where the Department is not an operator; and
- b. Not dedicated to the project, but used for the project.

Develop the SWPPP according to the requirements of the CGP and this specification. Account for the Contractor's construction methods and phasing. Identify the amount of mean annual precipitation.

Comply with the CGP Part 1.4 .2 Allowable Non-Storm Water Discharges. List locations where authorized non-storm water will be used, including the types of water that will be used on-site.

Include the Department's Antidegradation Analysis in the SWPPP if storm water from the Project Zone discharges into receiving water that is considered high quality water and that constitutes an outstanding national resource, according to CGP Part 2.1.5.

There are special requirements in the CGP Part 3.2, for storm water discharges into an impaired water body, and they may include monitoring of storm water discharges. For Projects meeting the permit criteria, the Department will initiate a monitoring program for the storm water within the Project Zone, and will provide the required information and reports for inclusion in the SWPPP. The Contractor is responsible for monitoring and reporting outside the Project Zone.

Preserve natural topsoil unless infeasible. Delineate the site according to CGP Part 4.1. Use stakes, flags, or silt fence, etc. to identifying areas where land disturbing activities will occur and areas that will be left undisturbed. Minimize the amount of soil exposed during Construction activity according to CGP Part 4.1.2.

Comply with CGP Part 4.3, requirements for dewatering for trenches and excavations.

The SWPPP must identify specific areas where potential erosion, sedimentation, or pollution may occur. The potential for wind erosion must be addressed. The potential for erosion at drainage structures must be addressed.

Describe methods and time limits, to initiate temporary or permanent soil stabilization. For areas with mean annual precipitation of:

- a. 40 inches or less, initiate stabilization as soon as practicable and within 14 days; or
- b. Greater than 40 inches, initiate stabilization as soon as practicable and within seven days.

Within seven days of initiating final stabilization, either complete final stabilization or continue maintenance of work until final stabilization is complete.

Include in the "Stabilize Soils" section of the SWPPP, a description of how you will minimize the amount of disturbed and unstabilized ground in the fall season. Identify anticipated dates of fall freeze-up and spring thaw. Describe how you will stabilize areas when it is close to or past the seasonal time of snow cover or frozen conditions, and before the first seasonal thaw. Include a plan for final stabilization.

Plans for Active Treatment Systems must be submitted to DEC for review at least 14 days prior to their use and the Operator of the ATS identified in the SWPPP. Any use of treatment chemicals must be identified on the NOI.

The SWPPP must provide designated areas for equipment and wheel washing, equipment fueling and maintenance, chemical storage, staging or material storage, waste or disposal sites, concrete washouts, paint and stucco washouts, and sanitary toilets. These activities must be done in designated areas that are located, to the extent practicable, away from drain inlets, conveyance channels, and waters of the US. No discharges are allowed from concrete washout, paint and stucco washout; or from release oils, curing compounds, fuels, oils, soaps, and solvents. Equipment and wheel washing water that doesn't contain detergent may be discharged on-site if it is treated before discharge.

Design temporary BMPs for a 2 year 24 hour precipitation amount. Describe BMPs in the SWPPP and in SWPPP Amendments, including source controls, sediment controls, discharge points, and temporary and permanent stabilization measures. Describe the design, placement, installation, and maintenance of each BMP, using words, and drawings as appropriate. Describe the design capacity of sediment basins (including sediment ponds and traps). Provide a citation to the BMP Manual or publication used as a source for the BMP, including the title of the BMP Manual or publication, the author (individual or agency), and date of publication. If no published source was used to select or design a BMP, then the SWPPP or SWPPP amendment must state that "No BMP manual or publication was used for this design."

Describe the sequence and timing of activities that disturb soils and of BMP implementation and removal. Phase earth disturbing activities to minimize unstabilized areas, and to achieve temporary or final stabilization quickly. Whenever practicable incorporate final stabilization work into excavation, embankment, and grading activities.

Identify the inspection frequency in the SWPPP:

- For areas where the mean annual precipitation is 15 inches or less, inspect at least once every 14 days during construction and within 24 hours of the end of a storm event that resulted in a discharge.
- For areas where the mean annual precipitation is between 15 to 40 inches, inspect once every seven days.
- For areas where the mean annual precipitation is 40 inches or greater, inspect twice every seven days.

Linear Project Inspections, described in CGP Part 6.5, are not applicable to this project.

The SWPPP must cite and incorporate applicable requirements of the Project permits, environmental commitments, COE permit, and commitments related to historic preservation. Make additional consultations or obtain permits as necessary for Contractor specific activities which were not included in the Department's permitting and consultation.

The SWPPP is a dynamic document. Keep the SWPPP current by noting installation, modification, and removal of BMPs, and by using amendments, SWPPP amendment logs, Inspection Reports, corrective action logs, records of land disturbance and stabilization, and any other records necessary to document storm water pollution prevention activities and to satisfy the requirements of the Consent Decree, CGP and this specification. See Subsection 641-3.03 for more information.

#### 4. Recording Personnel and Contact Information in the SWPPP.

Identify the SWPPP Manager as the Storm Water Lead and Storm Water Inspector positions in the SWPPP. Document the SWPPP Manager's responsibilities in Section 2.0 Storm Water Contacts, of the SWPPP template and:

- a. Identify that the SWPPP Manager does not have authority to sign inspection reports (unless the SWPPP Manager is also the designated project Superintendent).



- b. Identify that the SWPPP Manager cannot prepare the SWPPP unless the SWPPP Manager meets the Contract requirements for the SWPPP Preparer.

Include in the SWPPP, Records of the AK-CESCL cards or certificates for the Superintendent and SWPPP Manager, and for any acting Superintendent and acting SWPPP Managers. If the Superintendent or SWPPP Manager is replaced permanently or temporarily, by an acting Superintendent or acting SWPPP Manager, record in the SWPPP (use Form 25D-127) the names of the replacement personnel, the date of the replacement. For temporary personnel record their beginning and ending dates.

Provide 24 hour contact information for the Superintendent and SWPPP Manager. The Superintendent and SWPPP Manager must have 24 hour contact information for all Subcontractor SWPPP Coordinators and Utility SWPPP Coordinators.

Include in the SWPPP, Records of the AK-CESCL cards or certificates of ATS operators. Record the names of ATS operators and their beginning and ending dates, on Form 25D-127.

The Department will provide Records of AK-CESCL cards or certificates for the Project Engineer, Stormwater Inspectors, and Monitoring Person (if applicable), and names and dates they are acting in that position. Include the Department's Records in the SWPPP Appendix. Include the department's Storm Water Inspector and Storm Water Monitoring Person (if applicable) in section 2.0 of the SWPPP.

#### **641-2.02 HAZARDOUS MATERIAL CONTROL PLAN (HMCP) REQUIREMENTS.**

Prepare the HMCP for prevention of pollution from storage, use, containment, cleanup, and disposal of all hazardous material, including petroleum products related to construction activities and equipment. Include the HMCP as an appendix to the SWPPP. Compile Material Safety Data Sheets in one location and reference that location in the HMCP.

Designate a Contractor's Spill Response Field Representative with 24 hour contact information. Designate a Subcontractor Spill Response Coordinator for each subcontractor. The Superintendent and Contractor's Spill Response Field Representative must have 24 hour contact information for each Subcontractor Spill Response Coordinator and the Utility Spill Response Coordinator.

List and give the location and estimated quantities of hazardous materials (Including materials or substances listed in 40 CFR 117 and 302, and petroleum products) to be used or stored on the Project. Hazardous materials must be stored in covered storage areas. Include secondary containment for all hazardous material storage areas.

Identify the locations where fueling and maintenance activities will take place, describe the activities, and list controls to prevent the accidental spillage of petroleum products and other hazardous materials. Controls include placing absorbent pads or other suitable containment under fill ports while fueling, under equipment during maintenance or repairs, and under leaky equipment.

List the types and approximate quantities of response equipment and cleanup materials available on the Project. Include a list and location map of cleanup materials, at each different work site and readily available off site (materials sources, material processing sites, disposal sites, staging areas, etc). Spill response materials must be stored in sufficient quantity at each work location, appropriate to the hazards associated with that site.

Describe procedures for containment and cleanup of hazardous materials. Describe a plan for the prevention, containment, cleanup, and disposal of soil and water contaminated by spills. Describe a plan for dealing with contaminated soil and water encountered during construction. Clean up spills or contaminated surfaces immediately.

Describe methods of disposing of waste petroleum products and other hazardous materials generated by the Project, including routine maintenance. Identify haul methods and final disposal areas. Assure final disposal areas are permitted for hazardous material disposal.

Describe methods of complying with the requirements of AS 46.04.010-900, Oil and Hazardous Substances Pollution Control, and 18 AAC 75. Include contact information for reporting hazardous materials and petroleum product spills to the Project Engineer and reporting to federal, state, and local agencies.

#### **641-2.03 SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN (SPCC Plan) REQUIREMENTS.**

Prepare and implement an SPCC Plan when required by 40 CFR 112; when both of the following conditions are present on the Project:

- a. Oil or petroleum products from a spill may reach navigable waters (as defined in 40 CFR 112); and
- b. Total above ground storage capacity for oil and any petroleum products is greater than 1,320 gallons (not including onboard tanks for fuel or hydraulic fluid used primarily to power the movement of a motor vehicle or ancillary onboard oil-filled operational equipment, and not including containers with a storage capacity of less than 55 gallons).

Reference the SPCC Plan in the HMCP and SWPPP.

#### **641-2.04 RESPONSIBILITY AND AUTHORITY OF THE SUPERINTENDENT AND SWPPP MANAGER.**

The Superintendent is responsible for the overall operation of the Project and all Contractor furnished sites and facilities directly related to the Project. The Superintendent shall sign and certify the SWPPP, Inspection Reports, and other reports required by the CGP, except the NOI and NOT. The Superintendent may not delegate the task or responsibility of signing and certifying the SWPPP submitted under Subsection 641-1.03.1, Inspection Reports, and other reports required by the CGP.

The Superintendent may assign certain duties to the SWPPP Manager those duties may include:

- a. Ensuring Contractor's and subcontractor's compliance with the SWPPP and CGP;
- b. Ensuring the control of erosion, sedimentation, or discharge of pollutants;
- c. Directing and overseeing installation, maintenance, and removal of BMPs;
- d. Performing Inspections; and
- e. Updating the SWPPP including adding amendments and forms.

When Bid Item 641(7) is part of the Contract, the SWPPP Manager must be available at all times to administer SWPPP requirements, and be physically present within the Project Zone or the project office, for at least eight hours per day when construction activities are occurring.

The Superintendent and SWPPP Manager shall be knowledgeable in the requirements of this Section 641, the SWPPP, CGP, BMPs, HMCP, SPCC Plan, environmental permits, environmental commitments, and historic preservation commitments.

The Superintendent and SWPPP Manager shall have the Contractor's complete authority and be responsible for suspending construction activities that do not conform to the SWPPP or CGP.

#### **641-2.05 MATERIALS.**

Use materials suitable to withstand hydraulic, wind, and soil forces, and to control erosion and trap sediments according to the requirements of the CGP and the Specifications.

Use the temporary seed mixture specified by special provision, or use annual rye grass if no temporary seed mix is specified.

Use soil stabilization material as specified in Section 727.

Use silt fences as specified in Section 729.

Use straw that is certified as free of noxious weed by the United States Department of Agriculture, Natural Resources Conservation Service, Local Soil, and Water Conservative District. Alaska Weed Free Forage Certification Program must be used when available. Hay may not be substituted for straw.

Use Oregon Scientific RGR126 wireless rain gauge with temperature, or Taylor 2751 Digital Wireless Rain Gauge with Thermometer, or approved equivalent.

#### **641-2.06 CONTRACTOR REQUIREMENTS.**

The Contractor must be familiar with the requirements of the CGP and Consent Decree because Contractor's employees will be conducting duties that relate to compliance with the CGP and the Consent Decree. A copy of the Consent Decree is available on the Department's Statewide Environmental Office web page.

#### **641-3.01 CONSTRUCTION REQUIREMENTS.**

Comply with the SWPPP and the requirements of the CGP.

##### **1. Before Construction Activity may Begin.**

The following actions must be completed before Construction Activity begins:

- a. The SWPPP Preparer must visit the Project, the visit must be documented in the SWPPP, and the SWPPP must be developed (or amended) with findings from the visit;
- b. The SWPPP must be approved by the Engineer;
- c. The Contractor must be authorized to begin by the Engineer;
- d. The Project eNOIs for the Department and for the Contractor, as well as any other eNOIs if there are additional operators, must be listed as Active Status on the ADEC website;
- e. The Department approved SWPPP must be submitted to ADEC and Local Government (when required); and
- f. The Contractor has transmitted to the Engineer an electronic copy of the approved SWPPP.

You may begin Winter Construction activity according to CGP Part 4.10.3, provided actions a through c above is completed before winter construction activity begins.

Post notices containing the following information:

- a. Copy of all eNOIs related to this project;
- b. Name and 24 hour phone number of SWPPP Manager; and
- c. Location of the SWPPP.

Post notices on the outside wall of the Contractor's project office, and near the main entrances of the construction project. Protect postings from the weather. Locate postings so the public can read them without obstructing construction activities or the traveling public (for example, at an existing pullout). Do not use retroreflective signs for the SWPPP posting. Do not locate SWPPP signs in locations where the signs may be confused with traffic control signs or devices. Update the notices if the listed information changes.

Install an outdoor rain gauge in per manufacturer's guidance in a readily accessible location on the Project.

Delineate the site for both land disturbing activities and areas that will be left undisturbed. Install sediment controls and other BMPs that must be placed prior to the initiation of Construction Activity.

## 2. During Construction.

Before subcontractors or utility companies begin soil disturbing activities, provide to them copies of applicable portions of the SWPPP, and require them to sign a SWPPP Subcontractor Certification, Form 25D-105. Include SWPPP Subcontractor Certifications as an appendix to the SWPPP. Ensure subcontractors and utility companies understand and comply with the SWPPP and the CGP. Inform subcontractors and utility companies of SWPPP amendments that affect them in a timely manner. Coordinate with subcontractors and utility companies doing work in the Project Zone so BMPs, including temporary and permanent stabilization are installed, maintained, and protected from damage.

Provide on-going training to employees and subcontractors, on control measures at the site and applicable storm water pollution prevention procedures. Training must be specific to the installation, maintenance, protection, and removal of control measures. Training must be given at a frequency that will be adequate to ensure proper implementation and protection of control measures, and no less frequently than once a month during construction activity. Document on the SWPPP Training Log, Form 25D-125, the dates, and attendees to these trainings. Include the SWPPP Training Log as an appendix to the SWPPP.

Notify the Engineer immediately if the actions of any utility company or subcontractor do not comply with the SWPPP and the CGP.

Comply with Subsection 107-1.11 Protection and Restoration of Property and Landscape. Concrete washout must be fully contained.

Fuel the equipment in designated areas. Place absorbent pads or other suitable containment under fill ports while fueling, under equipment during maintenance or repairs, and under leaky equipment.

Comply with requirements of the HMCP and SPCC Plan, and all local, state, and federal regulations that pertain to the handling, storage, containment, cleanup, and disposal of petroleum products or other hazardous materials.

Keep the SWPPP and HMCP current (refer to Subsection 641-2.01.3, SWPPP Considerations and Contents).

## 3. Pollutant and Hazardous Materials Reporting Requirements.

If there has been an incident of non-compliance with the CGP that may endanger health or the environment, immediately report the incident to ADEC according to the CGP, Appendix A, Part 3.0. Notify the Engineer immediately and to the extent possible coordinate reports to ADEC with the Engineer.

The report must include:

- a. A description of the noncompliance and its causes;
- b. The exact dates and times of noncompliance;
- c. If not yet corrected the anticipated time the project will be brought back into compliance; and
- d. The corrective action taken or planned to reduce, eliminate and prevent reoccurrence.

If there has been an incident of non-compliance with COE Permits, then notify the Engineer immediately of the non-compliance.

Report spills of petroleum products or other hazardous materials to the Engineer and other agencies as required by law. Use the HMCP and SPCC Plan (if available) for contact information to report spills to regulatory agencies.

#### 4. Corrective Action and Maintenance of BMPs.

Implement maintenance as required by the CGP, SWPPP, and manufacturer's specifications, whichever is more restrictive.

Implement corrective action:

- a. If an incident of non-compliance with the SWPPP or CGP is identified;
- b. If an Inspection or the Engineer identifies the SWPPP or any part of the SWPPP is ineffective in preventing erosion, sedimentation or the discharge of pollutants;
- c. If a required BMP was not installed according to the SWPPP schedule or phasing, or was installed incorrectly, or was not installed according to the CGP Part 4.0;
- d. If a BMP is not operating as intended, has not been maintained in an effective operation condition, or is unable to effectively perform the intended function;
- e. If a prohibited discharge of pollutants, as specified in CGP Part 4.6, is occurring or will occur; or
- f. If there is accumulation of sediment or other pollutants, that is in or near any storm water conveyance channels, or that may enter a discharge point or storm sewer system. If there is accumulation of sediment or other pollutants that is being tracked outside the project zone.

Implement corrective actions so that they comply with the following time requirements:

- a. For conditions that are easily remedied (i.e. removal of tracked sediment, maintenance of control measure, or spill clean-up), initiate corrective action within 24 hours and complete as soon as possible;
- b. For all other conditions, meet both requirements:
  - (1) Corrective action is completed in time to protect water quality; and
  - (2) Corrective action is completed no later than the Complete-by-Date that was entered in an Inspection Report (see Subsection 641-3.03.2 for more information).

If a corrective action is not implemented within the time requirements of this section, document the situation in the SWPPP, notify the Engineer, and implement corrective action as soon as possible.

If a corrective action could affect a subcontractor, notify the subcontractor within three days of taking the corrective action. Require in your written subcontract, that subcontractors must notify the Contractor within 24 hours of becoming aware of a condition that requires a corrective action.

#### 5. Stabilization.

Stabilization may be accomplished using temporary or permanent measures. Initiate stabilization of disturbed soils, erodible stockpiles, disposal sites, and of erodible aggregate layers so that all of the following conditions are satisfied:

- a. As soon as practicable;
- b. As soon as necessary to avoid erosion, sedimentation, or the discharge of pollutants; and
- c. As identified in the SWPPP.

Land may be disturbed and stabilized multiple times during a project. Coordinate work to minimize the amount of disturbed soil at any one time. Do not disturb more soil than you can stabilize with the resources available.

Temporarily stabilize from wind and water erosion portions of disturbed soils, portions of stockpiles, and portions of disposal sites, that are not in active construction. Temporary stabilization measures may require a combination of measures including but not limited to vegetative cover, mulch, stabilizing emulsions, blankets, mats, soil binders, non-erodible cover, dust palliatives, or other approved methods.

When temporary or permanent seeding is required, provide a working hydro seeding equipment located within 100 miles of the project by road; with 1,000 gallon or more tank capacity, paddle agitation of tank, and the capability to reach the seed areas with an uniform mixture of water, seed, mulch and tackifier. If the project is located in an isolated community, the hydro-seeder must be located at the project.

Before applying temporary or permanent seeding, prepare the surface to be seeded to reduce erosion potential and to facilitate germination and growth of vegetative cover. Apply seed and maintain seeded areas. Reseed areas where growth of temporary vegetative cover is inadequate to stabilize disturbed ground.

Apply permanent seed according to Sections 618 and 724, within the time periods allowed by the CGP and the contract, at locations where seeding is indicated on the plans and after land-disturbing activity is permanently ceased.

When installing a culvert or other drainage structure where stream bypass is not used, install temporary or permanent stabilization concurrently or immediately after placing the culvert or drainage structure in a manner that complies with the SWPPP, applicable project permits and prevents discharge of pollutants. Install temporary and permanent stabilization:

- a. At the culvert or drainage structure inlet and outlet; and
- b. In the areas upstream and downstream, that may be disturbed by the process of installing the culvert, culvert end walls, culvert end sections, or drainage structure.

Before deactivating a stream bypass or stream diversion used for construction of a bridge, culvert, or drainage structure, install permanent stabilization:

- a. At the inlet and outlet of the culvert, drainage structure, or bridge;
- b. In the area upstream and downstream of the culvert, drainage structure, or bridge, that is disturbed during installation or construction of the culvert, drainage structure, or bridge; and
- c. Under the bridge.

Within seven days of initiating final stabilization, either complete final stabilization or continue maintenance of work until final stabilization is complete.

#### 6. Ending CGP Coverage and BMP Maintenance.

The Engineer will determine the date that all the following conditions for ending CGP coverage have been met within the Project Zone:

- a. Land disturbing activities have ceased;
- b. Final Stabilization has been achieved (including at Department furnished material sources, disposal sites, staging areas, equipment areas, etc.); and
- c. Temporary BMPs have been removed.

After the Engineer has determined the conditions for ending CGP coverage have been met, the Department will:

- a. Send written notice to the Contractor with the date that the conditions were met;
- b. Submit an eNOT to ADEC; and
- c. Provide a copy of the eNOT and ADEC's acknowledgement letter to the Contractor.

The Contractor is responsible for ending permit coverage within the Project Zone, by submitting an eNOT to ADEC within 30 days of meeting the conditions for ending CGP coverage. The Contractor is responsible for BMP maintenance and SWPPP updates until permit coverage is ended.

If the Contractor's CGP eNOI acreage includes Support Activities and any other areas where the Department is not an Operator, the Contractor may not be able to file an eNOT at the same time as the Department. In this case, the Contractor must amend the SWPPP and separate SWPPP2(s), to indicate the Department's CGP coverage has ended, and the Department is no longer an Operator within the Project Zone.

The Contractor must indicate in the SWPPP the areas that have reached Final Stabilization, and the dates land disturbing activities ended and Final Stabilization was achieved. The Contractor must submit an eNOT to ADEC, and insert copies of the Department's and the Contractor's eNOTs with ADEC's acknowledgement letters in the appendix of the SWPPP.

The Contractor must submit a copy of each signed eNOT and ADEC's acknowledgement letter to the Department within three days of filing the eNOT or receiving a written response.

The Contractor is responsible for coordinating local government inspections of work and ending permit coverage with local government. See Subsection 641-1.03.5 for more information.

7. Transmit final SWPPP.

Transmit one copy of the final SWPPP, including all amendments, appendices, and maps, to the Engineer; when the project eNOTs are filed, or within 30 days of the Department's eNOT being filed, whichever is sooner. Transmittal must be by both electronic and hard copy.

**641-3.02 SWPPP DOCUMENTS, LOCATION ON-SITE, AVAILABILITY, AND RECORD RETENTION.**

The SWPPP and related documents maintained by the Contractor are the Record for demonstrating compliance with the CGP and the Consent Decree. Copies of SWPPP documents transmitted to the Engineer under the requirements of this specification are informational and do not relieve the Contractor's responsibility to maintain complete records as required by the CGP and this specification.

Keep the SWPPP, HMCP, and SPCC Plan at the on-site project office. If there is not an on-site project office, keep the documents at a locally available location that meets CGP requirements and is approved by the Engineer. Records may be moved to another office for record retention after the eNOTs are filed. Records may be moved to another office during winter shutdown. Update on-site postings if records are relocated during winter shutdown. Provide the Department with copies of all Records.

Retain Records and a copy of the SWPPP, for at least three years after the date of eNOT. If EPA or ADEC inspects the project, issues a Notice of Violation (NOV), or begins investigation for a potential NOV before the retention period expires, retain the SWPPP and all Records related to the SWPPP and CGP until at least three years after EPA and/or ADEC has determined all issues related to the investigation are settled.

The SWPPP and related documents must be made available for review and copy, to the Department and other regulatory agencies that request them. See CGP Parts 5.10, 6.6 and 9.4.

**641-3.03 SWPPP INSPECTIONS, AMENDMENTS, REPORTS, AND LOGS.**

Perform Inspections, prepare Inspection Reports, and prepare SWPPP Amendments in compliance with the SWPPP and the CGP. Update SWPPP Corrective Action Log, SWPPP Amendment Log, SWPPP Grading and Stabilization Activities Log, and SWPPP Daily Record of Rainfall forms. For active projects, update the Records daily.

1. Inspection during Construction.

Conduct Inspections according to the schedule and requirements of the SWPPP and CGP.

Inspections required by the CGP and SWPPP must be performed by the Contractor's SWPPP Manager and the Department's Stormwater Inspector jointly, unless impracticable. For this paragraph, "impracticable" means when both inspectors must fly to a remote area in the winter or when one inspector is sick or unable to travel to the site due to weather. When this is the case, the Operator who conducts the Inspection must provide a copy of the Inspection Report to the other Operator within three days of the Inspection date and document the date of the report transmittal.

2. Inspection Reports.

Use only the DOT&PF SWPPP Construction Site Inspection Report, Form 25D-100 to record Inspections. Changes or revisions to Form 25D-100 are not permitted; except for adding or deleting data fields that list: Location of Discharge Points and Site Specific BMPs. Complete all fields included on the Inspection Report form; do not leave any field blank.

Unless otherwise directed by the Engineer, insert a Complete-by-Date for each corrective action listed that complies with:

- a. In time to protect water quality;
- b. less than seven calendar days after the date the inspection was performed; and
- c. before the next scheduled inspection.

Provide a copy of the completed, unsigned Inspection Report to the Engineer by noon on the day following the inspection.

The Superintendent must review, correct errors, and sign and certify the Inspection Report, within three days of the date of Inspection. The Engineer may coordinate with the Superintendent to review and correct any errors or omissions before the Superintendent signs the report. Corrections are limited to adding missing information or correcting entries to match field notes and conditions present at the time the Inspection was performed. Deliver the signed and certified Inspection Report to the Engineer on the same day the Superintendent signs it.

The Engineer will sign and certify the Inspection Report and will return the original to the Contractor within three working days.

The Engineer may make corrections after the Superintendent has signed and certified the Inspection Report. The Engineer will initial and date each correction. If the Engineer makes corrections, the Superintendent must recertify the Inspection Report by entering a new signature and date in the white space below the original signature and date lines. Send a copy of the recertified Inspection Report to the Engineer on the day it is recertified.

If subsequent corrections to the certified Inspection Report are needed, document the corrections in an addendum that addresses only the omitted or erroneous portions of the original Inspection Report. The Superintendent and the Engineer must both sign and certify the addendum.

### 3. Inspection before Seasonal Suspension of Work.

Conduct an Inspection before seasonal suspension of work to confirm BMPs are installed and functioning according to the requirements of the SWPPP and CGP.

### 4. Reduced Inspection Frequencies.

Conduct Inspections according to the inspection schedule indicated in the approved SWPPP. Any change in inspection frequency must be approved by the Engineer, and beginning and ending dates documented as an amendment to the SWPPP.

Inspection frequency may be reduced to at least one Inspection every 30 days if approved by the Engineer and the entire site is temporarily stabilized.

When work is suspended due to freezing conditions, the Engineer may suspend inspection requirements after fourteen days of freezing conditions if:

- a. Soil disturbing activities are suspended; and
- b. Soil stabilizing activities are suspended.

Inspections must resume according to the normal inspection schedule identified in the SWPPP, at least 21 days before anticipated spring thaw.

The Engineer may waive requirements for updating the Grading and Stabilization Activities Log and Daily Record of Rainfall during seasonal suspension of work. If so, resume collecting and recording weather data on the Daily Record of Rainfall form one month before thawing conditions are expected to result in runoff. Resume recording land disturbance and stabilization activities on the Grading and Stabilization Activities Log when Construction Activity resumes.



5. Stabilization before Seasonal Thaw.

Construction Activities within the Project Zone must be stabilized with appropriate BMPs prior to seasonal thaw. Seasonal thaw is the annual (first) recurrence of snow and ice melting after a prolonged period of freezing conditions.

6. Inspection before Project Completion.

Conduct Inspection to ensure Final Stabilization is complete throughout the Project, and temporary BMPs that are required to be removed are removed. Temporary BMPs that are biodegradable and are specifically designed and installed with the intent of remaining in place until they degrade, may remain in place after project completion.

7. Items and Areas to Inspect.

Conduct Inspections of the areas required by the CGP and SWPPP.

8. SWPPP Amendments and SWPPP Amendment Log.

The Superintendent and the SWPPP Manager are the only persons authorized to amend the SWPPP and update the SWPPP Amendment Log, Form 25D-114. The Superintendent or the SWPPP Manager must sign and date amendments to the SWPPP and updates to the SWPPP Amendment Log.

SWPPP Amendments must be approved by the Engineer.

Amendments must occur:

- a. Whenever there is a change in design, construction operation, or maintenance at the construction site that has or could cause erosion, sedimentation or the discharge of pollutants that has not been previously addressed in the SWPPP;
- b. If an Inspection identifies that any portion of the SWPPP is ineffective in preventing erosion, sedimentation, or the discharge of pollutants;
- c. Whenever an Inspection identifies a problem that requires additional or modified BMPs
- d. Whenever a BMP is modified during construction or a BMP not shown in the original SWPPP is added;
- e. If the Inspection frequency is modified (note beginning and ending dates); or
- f. When there is a change in personnel who are named in the SWPPP, according to Subsection 641-2.01.4.

Do not record removal of BMPs as amendments to the SWPPP. See Subsection 641-3.03.9 for documenting removal of BMPs.

Amend the SWPPP narrative as soon as practicable after any change or modification, but in no case, later than seven days following identification of the need for an amendment. Every SWPPP Amendment must be signed and dated. Cross-reference the amendment number with the Corrective Action Log or SWPPP page number, as applicable. When a BMP is modified or added, describe the BMP according to Subsection 641-2.01.3.

Keep the SWPPP Amendment Log current. Prior to performing each scheduled Inspection, submit to the Engineer a copy of the pages of the Amendment Log that contain new entries since the last submittal. Include copies of any documents amending the SWPPP.

Keep the SWPPP Amendment Log as an appendix to the SWPPP.

9. Site Maps.

Document the installation, routine maintenance, and removal of BMPs by making notes on the SWPPP Site Maps. Include the date and the recording person's initials by these notes. Identify areas where Construction Activities begin, areas where Construction Activities temporarily or permanently cease, and areas that are temporarily or permanently stabilized.

10. Corrective Action Log.

The Superintendent and SWPPP Manager are the only persons authorized to make entries on the SWPPP Corrective Action Log, Form 25D-112. Document the need for corrective action within 24 hours of either:

- a. Identification during an inspection; or
- b. Discovery by the Department's or Contractor's staff, a subcontractor, or a regulatory agency inspector.

Modification or replacement of a BMP, installation of a new BMP not shown in the original SWPPP, or overdue maintenance (after sediment accumulated in sediment basins (including sediment traps and ponds) exceeds 50% of design capacity; or after sediment accumulates to more than half the above ground height on silt fences, check dams, or berms) is a corrective action and must be documented on the Corrective Action Log. Do not record removal of BMPs on the Corrective Action Log.

Within 24 hours of discovery, update the Corrective Action Log with the date of discovery and proposed corrective action. If discovered during an inspection, update log with inspection date and proposed corrective actions noted on the Inspection Report.

After the corrective action has been accomplished, note in the Corrective Action Log the action taken and if a SWPPP amendment was needed. Date and initial the entry.

Keep the Corrective Action Log current and submit a copy to the Engineer prior to performing each scheduled SWPPP Inspection.

Keep the Corrective Action Log as an appendix to the SWPPP.

11. Grading and Stabilization Activities Log.

The Superintendent and SWPPP Manager are the only persons authorized to date and initial entries on the SWPPP Grading and Stabilization Activities Log, Form 25D-110. Use the SWPPP Grading and Stabilization Activities Log, to record land disturbance and stabilization activities.

Keep the Grading and Stabilization Activities Log current and submit a copy to the Engineer prior to performing each scheduled SWPPP Inspection. Keep the Grading and Stabilization Activities Log organized and completed to demonstrate compliance with the CGP Part 4.4.

Keep the Grading and Stabilization Activities Log as an appendix to the SWPPP.

12. Daily Record of Rainfall.

Use SWPPP Daily Record of Rainfall, Form 25D-115, to record weather conditions at the Project. Update the form daily and include the initials of the person recording each day's entry. Submit a copy to the Engineer prior to performing each scheduled Inspection. Keep the Daily Record of Rainfall as an appendix to the SWPPP.

#### **641-3.04 FAILURE TO PERFORM WORK.**

The Engineer has authority to suspend work and withhold monies, for an incident of non-compliance with the CGP, Consent Decree, or SWPPP, that may endanger health or the environment or for failure to perform work related to this Section 641. If the suspension is to protect workers, the public, or the environment from imminent harm, the Engineer may orally order the suspension of work. Following an oral order of suspension, the Engineer will promptly give written notice of suspension. In other circumstances, the Engineer will give the Contractor written notice of suspension before suspension of work. A notice of suspension will state the defects or reasons for a suspension, the corrective actions required to stop suspension, and the time allowed to complete corrective actions.

If the Contractor fails to take the corrective action within the specified time, the Engineer may:

- a. Suspend the work until corrective action is completed;
- b. Withhold monies due the Contractor until corrective action is completed;
- c. Assess damages or equitable adjustments against the Contract Amount; and
- d. Employ others to perform the corrective action and deduct the cost from the Contract amount.

Reasons for the Engineer to take action under this section include, but are not limited to, the Contractor's failure to:

- a. Obtain appropriate permits before Construction Activities occur;
- b. Perform SWPPP Administration;
- c. Perform timely Inspections;
- d. Update the SWPPP;
- e. Transmit updated SWPPP, Inspection Reports, and other updated SWPPP forms to the Engineer;
- f. Maintain effective BMPs to control erosion, sedimentation, and pollution in accordance with the SWPPP, the CGP, and applicable local, state, and federal requirements;
- g. Perform duties according to the requirements of this Section 641; or
- h. Meet requirements of the CGP, SWPPP, or other permits, laws, and regulations related to erosion, sediment, or pollution control.

No additional Contract time or additional compensation will be allowed due to delays caused by the Engineer's suspension of work under this subsection.

#### **641-3.05 ACCESS TO WORK.**

The Project, including any related off-site areas or support activities, must be made available for inspection, or sampling and monitoring, by the Department and other regulatory agencies. See CGP Part 6.6.

#### **641-4.01 METHOD OF MEASUREMENT.**

Section 109 and as follows:

Item 641(1), 641(3) and 641(7), are lump sum.

Items 641(2), 641(4) and 641(5), will be measured on a contingent sum basis as specified by the Directive authorizing the work.

Item 641(6) will be measured on a contingent sum basis with withholding determined by the Department.

#### **TABLE 641-1 BMP VALUES - (Reserved)**

Liquidated Damages assessed according to Table 641-2 are not an adjustment to the Contract amount. These damages charges are related to Contract performance but are billed by the Department independent of the Contract amount. An amount equal to the Liquidated Damages may be withheld for unsatisfactory performance, from payment due under the Contract, until the Contractor remits payment for billed Liquidated Damages.

**TABLE 641-2 Version B**  
**EROSION, SEDIMENT, AND POLLUTION CONTROL – LIQUIDATED DAMAGES**

<b>Code</b>	<b>Specification Subsection Number and Description</b>	<b>Deductable Dollars</b>	<b>Cumulative Deductable Dollars</b>
<b>A</b>	641-1.04 Failure to have a qualified (AK-CESCL or equivalent) Superintendent or SWPPP Manager	Calculated in Code B or F	
<b>B</b>	Failure to meet SWPPP requirements of: (1) 641-2.01.1 Name of SWPPP Preparer and Date of Pre-Construction Inspection (2) Not Applicable (3) 641-3.03.8 Sign and Date SWPPP amendments with qualified person. 641-2.01.4 SWPPP Include approving person's name and AK-CESCL expiration date. (4) 641-3.02 Records maintained at project and made available for review	\$750 per omission	
<b>C</b>	641-2.01.3 and 641-3.03.8 Failure to either reference a BMP manual or publication, or state that no BMP manual or publication was used	\$250 per omission	
<b>D</b>	641-3.03.5 Failure to stabilize a Project prior to Seasonal Thaw	\$5,000 per Project per year	
<b>E</b>	641-2.01.1 Failure to conduct pre-construction inspections before Construction Activities	\$2,000 per Project	
<b>F</b>	641-3.03. Failure to conduct and record CGP Inspections 641-3.03.1 Personnel conducting Inspections and Frequency 641-3.03.2 Inspection Reports, use Form 25D-100, completed with all required information according to the Consent Decree paragraph 7.c, parts (1) through (11)	\$750 per Inspection	
<b>G</b>	641-3.01.4 Failure to timely accomplish BMP maintenance and/or repairs, In effect until BMP maintenance and/or repairs is completed.	\$500 per Project per day	Not to exceed \$250,000 per year for all projects
<b>H</b>	641-3.01.3 Failure to provide to the Engineer and ADEC a timely oral endangerment report of violations or for a deficient oral endangerment report	\$750 for the first day the report is late or deficient	Additional \$750 for every 14 day period without the required information
<b>I</b>	641-3.01.3 Failure to provide to the Engineer and ADEC a timely written endangerment report of violations or for a deficient written endangerment report	\$750 for the first day the report is late or deficient	Additional \$750 for every 14 day period without the required information
<b>J</b>	641-3.04 Failure to comply with the most restrictive requirements of the CGP, approved SWPPP, or Section 641, except as listed above	\$750 per occurrence for the first day of noncompliance	Additional \$750 for every day the deficiency remains uncorrected

### **641-5.01 BASIS OF PAYMENT.**

See Subsection 641-3.04 Failure to Perform Work, for additional work and payment requirements.

Item 641(1) Erosion, Sediment, and Pollution Control Administration. At the Contract lump sum price for administration of all work under this Section. Includes, but is not limited to, SWPPP and HMCP and SPCC Plan preparation, agency fees for SWPPP reviews, SWPPP amendments, pre-construction Inspections, Inspections, monitoring, reporting, and Record keeping or copying Records related to the SWPPP and required by the CGP, and Record retention.

Item 641(2) Temporary Erosion, Sediment, and Pollution Control. At the contingent sum prices specified for all labor, supervision, material, equipment, and incidentals to install, maintain, remove, and dispose of approved temporary erosion, sedimentation, and pollution control BMPs required to implement the SWPPP and SPCC Plan.

Item 641(3) Temporary Erosion, Sediment, and Pollution Control. At the Contract lump sum price for all labor, supervision, material, equipment, and incidentals to install, maintain, remove, and dispose of temporary erosion, sedimentation, and pollution control BMPs identified in the SWPPP and SPCC Plan.

Item 641(4) Temporary Erosion Sediment and Pollution Control Additives. At the contingent sum prices specified in the Directive to authorize the work, for all labor, supervision, materials, equipment, and incidentals for extra, additional, or unanticipated work, to install, maintain, remove and dispose of temporary erosion, sedimentation, and pollution control BMPs. All additional Erosion, Sediment, and Pollution Control Administration necessary due to this item will not be paid for separately but will be subsidiary to other bid items.

Item 641(5) Temporary Erosion Sediment and Pollution Control by Directive. At the contingent sum prices specified in the Directive using time and materials to authorize the work, for all labor, supervision, materials, equipment, and incidentals to install, maintain, remove and dispose of temporary erosion, sedimentation, and pollution control BMPs. Prices for this item will by time and materials according to Subsection 109-1.05, or by mutual agreement between the Engineer and Contractor. All additional Erosion, Sediment, and Pollution Control Administration necessary due to this item will not be paid for separately but will be subsidiary to other bid items.

Item 641(6) Withholding. The Engineer may withhold an amount equal to Liquidated Damages, assessed according to Section 641, from payment due the Contractor. Liquidated Damages for violations of the Contract, CWA, CGP, or Consent Decree are determined by the Engineer according to Table 641-2. The Engineer may withhold payment due the Contractors until the Contractor pays the Liquidated Damages to the Department.

The Department will not release performance bonds until Liquidated Damages assessed according to Section 641 are paid to the Department, and all requirements according to Subsection 103-1.05 are satisfied.

Item 641(7) SWPPP Manager. At the Contract lump sum price for a SWPPP Manager that conforms to this specification. When Item 641(7) appears in the Bid Schedule, the SWPPP Manager must be a different person than the superintendent, and must be physically present during construction activity with duties and authority as described in Subsection 641-2.04. When Item 641(7) does not appear in the Bid Schedule, the SWPPP Manager is subsidiary to Item 641(1).

Subsidiary Items. Temporary erosion, sediment, and pollution control measures that are required outside the Project Zone are subsidiary. Work required by the HMCP and SPCC Plan including hazardous material storage, containment, removal, cleanup and disposal, are subsidiary to Item 641(1) Erosion, Sediment and Pollution Control Administration.

Work under other pay items. Work that is paid for directly or indirectly under other pay items will not be measured and paid for under Section 641.

This work includes but is not limited to:

- a. Dewatering;
- b. Shoring;
- c. Bailing;
- d. Permanent seeding;
- e. Installation and removal of temporary work pads;
- f. Temporary accesses;
- g. Temporary drainage pipes and structures;
- h. Diversion channels;
- i. Settling impoundment; and
- j. Filtration.

Permanent erosion, sediment, and pollution control measures will be measured and paid for under other Contract items, when shown on the bid schedule.

Work at the Contractor's Expense. Temporary erosion, sediment, and pollution control measures that are required due to carelessness, negligence, or failure to install temporary or permanent controls as scheduled or ordered by the Engineer, or for the Contractor's convenience, are at the Contractor's expense.

Payment will be made under:

<u>Pay Item No.</u>	<u>Pay Item</u>	<u>Pay Unit</u>
641(1)	Erosion, Sediment, and Pollution Control Administration	Lump Sum
641(2)	Temporary Erosion, Sediment, and Pollution Control	Contingent Sum
641(3)	Temporary Erosion, Sediment, and Pollution Control	Lump Sum
641(4)	Temporary Erosion, Sediment, and Pollution Control Additives	Contingent Sum
641(5)	Temporary Erosion, Sediment, and Pollution Control by Directive	Contingent Sum
641(6)	Withholding	Contingent Sum
641(7)	SWPPP Manager	Lump Sum

CR641-041312

## SECTION 643

### TRAFFIC MAINTENANCE

#### Special Provisions

#### **643-1.01 DESCRIPTION.** Add the following:

Additional work:

- Illuminate construction activities listed in Table 643-3, Night Work Illumination Level, and Area of Coverage, during hours of night work on roads open to the public inside the project limits.

#### **643-1.02 DEFINITIONS.** Add the following paragraphs after paragraph titled "Construction Phasing Plan":

**Balloon Light:** Light surrounding's by a balloon-like enclosure kept inflated by pressurized air or helium, and producing uniform light through 360 horizontal degrees. The top half of the balloon enclosure shall be constructed of an opaque material.

**Night Work:** Work occurring between sunset and sunrise on all days, except the "No Lighting Required" period shown in Table 643-2, Night Work Lighting Requirements.

**TABLE 643-2  
NIGHT WORK LIGHTING REQUIREMENTS**

Latitude (degrees)	No Lighting Required		Nearby Cities
	Start	End	
< 61	Lighting Required All Year		Everything South of Hope
61	June 11	July 1	Anchorage, Valdez, Girdwood
62	June 2	July 13	Wasilla, Palmer, Glennallen, Talkeetna
63	May 27	July 17	Cantwell, Paxson, McGrath
64	May 22	July 21	Delta Junction, Nome, Tok
65	May 18	July 25	Fairbanks
66	May 14	July 29	Circle
67	May 10	August 2	Coldfoot, Kotzebue
68	May 7	August 6	Galbraith Lake
69	May 3	August 9	Happy Valley
70	April 30	August 12	Deadhorse
71	April 27	August 15	Barrow
72	April 24	August 19	

ES14-031506

#### **643-1.03 TRAFFIC CONTROL PLAN.** Replace the last paragraph with the following:

A waiver may be requested, in writing, of regulation 17 AAC 25 regarding oversize and overweight vehicle movements inside the project limits. If the waiver is approved, movements of oversize and overweight vehicles in or near traffic inside the project limits will be done according to the provisions of an approved Traffic Control Plan. Maintain a minimum 12 foot lateral separation between the nonstreet legal vehicles and the motoring public. The Traffic Control Plan shall specify the traffic control devices required for these operations.

Add the following:

Road Closures and Major Traffic Sequencing (events). Submit a written request to the Engineer for review and approval of each proposed event and event date. Allow 7 days for the Engineer to review any proposed event or subsequent changes/corrections. The proposed event date will be no less than 14 days from the date of written approval.

CR6431-051513

#### **643-1.04 WORKSITE SUPERVISOR.**

1. Qualifications. Replace with the following:

Qualifications. The Worksite Traffic Supervisor shall be knowledgeable and experienced regarding the requirements of the ATM and the implementation of those requirements. The Worksite Traffic Supervisor shall be familiar with the Plans, the Specifications, your proposed operations, and certified as one of the following:

- a. Traffic Control Supervisor, American Traffic Safety Services Association (ATSSA)
- b. Work Zone Safety Specialist, International Municipal Signal Association (IMSA)

Certify according to Form 25D-124 that the Worksite Traffic Supervisor is competent and capable, and has the authority to perform the duties and responsibilities in accordance with this Section.

Worksite Traffic Supervisors shall maintain current certification and be able to show their certification anytime they are on the project.

CR6432-110410

2. Duties. Add the following:

- I. Supervise lighting of Night Work.

ES14-031506

Add No. 3:

3. Authority. The Worksite Traffic Supervisor shall have the Contractor's authority to stop work and implement immediate corrective action to unsafe traffic control, in locations where unsafe traffic control is present.

#### **643-2.01 MATERIALS.**

4. Portable Concrete Barriers. Replace with the following:

Portable Concrete and Steel F Shape Barriers. Use Portable Concrete and Steel F Shape Barriers that conform to the Plans. For each direction of traffic, equip each barrier section with at least two side-mounted retroreflective reflectors or a continuous 4-inch wide horizontal retroreflective stripe mounted 6 inches below the top of the barrier. Place the individual reflectors 2-foot or less from each end and space not more than 10-foot apart. Use yellow reflectors or stripe if you use barriers at centerline. Use white reflectors or stripe if you use barriers on the roadway shoulder.

CR6431-051513

Add the following:

Use reflective sheeting that meets AASHTO M 268 Type III, IV or V.



10. Temporary Crash Cushions. Replace with the following:

Temporary Crash Cushions. Must have FHWA Acceptance letter for National Cooperative Highway Research Program (NCHRP) 350 or Manual for Assessing Safety Hardware (MASH), Test Level 3. Use reflective sheeting that meets AASHTO M 268 Type III, IV or V. Application of crash cushion must be appropriate for the intended use and be installed per manufacturer's recommendation. Temporary crash cushions used as rail or barrier end treatments must be redirective. Temporary crash cushions that are barrels or barricade filled with sand or water are considered nonredirective and may only be used when the forecasted temperature during their use is above 32 degrees Fahrenheit.

CR6432-110410

12. Portable Changeable Message Board Sign. Replace with the following:

Portable Changeable Message Board Sign. Use new truck or trailer mounted portable changeable message board signs with self contained power supply for the sign and with:

- a. Message sign panel large enough to display 3 lines of 18 inch high characters.
- b. Eight character display per message module.
- c. Fully programmable message module.
- d. Remote control cellular, wireless radio frequency (RF), landline.
- e. Waterproof, lockable cover for the controller keyboard.
- f. Capacity for electric/hydraulic sign raising or lowering.
- g. Radar over speed detection.
- h. Variable flash and sequence rates.
- i. Light emitting diode (LED) display, using Institute of Transportation Engineers (ITE) amber/yellow
- j. The capacity for a minimum of 150 pre-programmed messages.
- k. Battery-Pack Operation Duration: minimum of 55 hours under full load.
- l. Power chords shall comply with the National Electrical Code (NEC) Article 600.10 Portable and Mobile Signs, paragraph 600.10(c) (2) ground fault circuit interrupter (GFCI). The chord will have integral GFCI protection located either in the attachment plug or 12 inches or less from the plug.

CR6431-051513

13. Plastic Safety Fence. Replace a., b., and c. with the following:

- a. "Safety Fence" by Jackson Safety, Inc., Manufacturing and Distribution Center, 5801 Safety Drive NE, Belmont, Michigan, 49306. Phone (800) 428-8185.
- b. "Flexible Safety Fencing" by Carsonite Composites, LLC, 19845 U.S. Highway 76, Newberry, South Carolina, 29108. Phone (800) 648-7916.
- c. "Reflective Fencing" by Plastic Safety Systems, Inc., 2444 Baldwin Road, Cleveland, Ohio 44104. Phone (800) 662-6338.

16. Flagger Paddles. Replace the last sentence with the following:

Use reflective sheeting that meets AASHTO M 268 Type VIII or IX. Use background colors of fluorescent orange on one side and red on the other side.

Add No. 17:

17. Truck Mounted Attenuator (TMA). The TMA shall be mounted on a vehicle with a minimum weight of 15,000 pounds and a maximum weight per the manufacturer's recommendations. The TMA shall comply with NCHRP 350 or MASH, Test Level 3 requirements.

CR6432-110410

Add No. 18:

18. Flexible Markers. Refer to Subsection 606-2.01 Materials.

CR6431-051513

Standard Modification

Replace Subsection 643-2.02 CRASHWORTHINESS with the following:

**643-2.02 CRASHWORTHINESS.** Submit documentation, by the method indicated, that the following devices comply with the requirements of National Cooperative Highway Research Program (NCHRP) Report 350 or Manual for Assessing Safety Hardware (MASH), Test Level 3 on the given schedule.

Submit documentation of compliance to the Engineer before installing devices on the project.

<b>Work Zone Traffic Control Device Compliance with NCHRP 350 or MASH</b>		
<b>Category</b>	<b>Devices</b>	<b>Method of Documentation</b>
1	Cones, candles, drums w/o attachments, delineators	Manufacturer's Certification for devices exceeding height and weight limits
2	Barricades, portable sign supports, drums w/lights, other devices weighing less than 100 pounds but not included in category 1	FHWA acceptance letter indicating acceptance at Test Level 3 (when no test level is specified in the letter; it is implied that the tests were run for Test Level 3),
3	Truck mounted attenuators, redirective and nondirective temporary crash cushions	FHWA acceptance letter indicating acceptance at Test Level 3 (when no test level is specified in the letter; it is implied that the tests were run for Test Level 3),
	Portable concrete barriers	FHWA acceptance letter specifying the Test Level required in the Plans or Specifications.

**Category 1** devices that exceed the following weights and heights require certification that they meet the evaluation criteria of NCHRP Report 350 or MASH, Test Level 3. This certification may be a one-page affidavit signed by the vendor. Documentation supporting the certification (crash tests and/or engineering analysis) must be kept on file by the certifying organization. No certification is required for devices within the weight and height limitations.

<u>Device</u>	<u>Composition</u>	<u>Weight</u>	<u>Height</u>
Cones	Rubber	20 lb.	36 in.
	Plastic	20 lb.	48 in.
Candles	Rubber	13 lb.	36 in.
	Plastic	13 lb.	36 in.
Drums	Hi Density Plastic	77 lb.	36 in.
	Lo Density Plastic	77 lb.	36 in.
Delineators	Plastic or Fiberglass	N/A	48 in.

E77-100410

**643-3.01 GENERAL CONSTRUCTION REQUIREMENTS.** Add the following:

Immediately notify the Engineer of any traffic related accident that occurs within the project limits as soon as you, an employee, or a subcontractor becomes aware of the accident.

E90-100410

Add the following:

Where construction activity encroaches onto the safe route in a traffic control zone, station a flagger at the encroachment to assist pedestrians and bicyclists past the construction activity.

Maintain business access(s) during flagging operations.

CR6431-051513

Standard Modification

Replace Subsection 643-3.03 PUBLIC NOTICE with the following:

**643-3.03 PUBLIC NOTICE.** Make sure the Worksite Traffic Supervisor gives a minimum of 3 days notice before major changes, delays, lane restrictions, or road closures to local officials and transportation organizations, including but not necessarily limited to:

- Alaska Carriers Association
- Alaska Trucking Association
- Alaska State Troopers
- Division of Measurement Standards
- Local Police Department
- Local Fire Department
- Local Government Traffic Engineer
- School and Transit Authorities
- Local Emergency Medical Services
- Local Media (newspapers, radio, television)
- Railroads (where applicable)
- U.S. Postal Service
- Major Tour Operators

Provide local traffic enforcement and maintenance agencies 24 hour notice before shutting down a traffic signal system. Provide notice as required by utility companies before repairing or replacing a utility.

Provide the Alaska State Troopers, local police and fire department with the radio frequencies used on the project and the 24-hour telephone numbers of the Worksite Traffic Supervisor and the Project Superintendent. Tell them to use these numbers to alert you when emergency vehicles must pass through the project. When notified of emergencies, use all equipment and make every necessary effort to expedite rapid passage.

Additional notices may be given through the Navigator System for selected projects. Check the special provisions for those requirements.

E78-100410

**643-3.04 TRAFFIC CONTROL DEVICES.** Replace paragraphs 6 and 7 with the following:

Use only traffic control devices that meet the requirements of the "Acceptable" category in the American Traffic Safety Services Association (ATSSA) "Quality Guidelines for Temporary Traffic Control Devices" and meet crashworthiness requirements per Section 643-2.02.

Immediately replace any devices provided under this Section that are lost, stolen, destroyed, inoperable or deemed unacceptable while used on the project. Stock repair parts for each Temporary Crash Cushion used on the project. Repair damaged crash cushions within 24 hours.

Maintain pre-existing roadside safety hardware at an equivalent or better level than existed prior to project implementation until the progress of construction necessitates removing the hardware. All existing hazards that are currently protected with roadside safety hardware or new hazards which result from project improvements shall be protected or delineated as required in the Plans, Specifications, and approved TCPs until permanent roadside safety hardware is installed. All temporary roadside safety hardware shall meet NCHRP 350 or MASH, Test Level 3 unless otherwise noted.

CR6432-110410

Replace paragraph 8 with the following:

Items paid under this Section remain the Contractor's property unless stated otherwise. Remove them after completing the project.

1. Embankments. Add the following:

Close trenches and excavations at the end of each continuous work shift, except as indicated by the Engineer.

2. Adjacent Travel Lane Paving. Replace 2. With the following:

Limit pavement-edge and lane-edge drop-offs as specified in Section 401. When paving is deeper than 1 inch and you cannot finish paving adjacent travel lanes or paved shoulders to the same elevation before the end of the paving shift, install one of the following, as appropriate: CW8-11 (Uneven Lanes), CW8-9 (Low Shoulder), CW14-3 (no Passing Zone), R4-1 (Do Not Pass), and R4-2 (Pass with Care). If the Section is longer than 1/2 mile, place additional signs every 1500 feet.

3. Fixed Objects. Add the following:

Remove obstructions greater than 4 inches above the nominal foreslope grade at the end of each continuous work shift.

Replace paragraph three with the following:

If you cannot meet the preceding restrictions because of land features or lack of right-of-way, place vehicles, equipment, material stockpiles, and other items deemed by the Engineer to be fixed objects as far away as practical but at least 15 feet from the edge of traveled way, as approved by the Engineer. Use drums or Type II barricades with flashing warning lights to delineate vehicles, equipment, material stockpiles, and other fixed objects. These traffic control devices are subsidiary.

4. Flagging. Replace with the following:

Furnish trained and competent flaggers and all necessary equipment, including lighting of the flagging position during nighttime operations, to control traffic through the traffic control zone. The Engineer will approve each flagging operation before it begins and direct adjustments as conditions change.

Flaggers must be certified as one of the following:

- a. Flagging Level I Certification by IMSA (International Municipal Signal Association)
- b. Flagger Certification by ATSSA (American Traffic Safety Services Association)
- c. Traffic Control Supervisor, ATSSA
- d. Work Zone Safety Specialist, IMSA
- e. ATSSA Flagging Instructor

Flaggers shall maintain current flagger certification. Flaggers must be able to show their flagger certification anytime they are on the project.

Flaggers must maintain their assigned posts at all times, unless another qualified flagger relieves them, or the approved traffic control plan terminates the flagging requirements. Remove, fully cover, or lay down flagger signs when no flagger is present. Keep the flaggers' area free of encumbrances, keep the flagger vehicle well off the roadway and not close to the flagger station, so that flaggers can be seen easily.

Provide approved equipment for two-way radio communications between flaggers when flaggers are not in plain, unobstructed view of each other.

Obtain the Engineer's written approval before flagging signalized intersections. When you flag a signalized intersection, either turn off and cover the traffic signal or place it in the All-Red Flash mode. Coordinate changing traffic signal modes and turning off or turning on traffic signals with the agency responsible for signal maintenance and operation and the Engineer. Get their written approval in advance. Only uniformed police officers are permitted to direct traffic in an intersection with an operating traffic signal.

6. Street Sweeping and Power Brooming. Replace with the following:

Keep free of loose material paved portions of the roadway and haul routes open to the public, including sections of roadway off the project where the Contractor's operations have deposited loose material. Use equipment for brooming and sweeping as recommended by the manufacturer and the following:

Dirt, dust and construction materials, mobilized as a result of power brooming and or sweeping, shall not be pushed, ejected, thrown or drift beyond the lesser of, 2 feet from the equipment perimeter or the edge of the paved surface.

All equipment shall operate to typical industry standards. Maintain equipment to operate as designed by the manufacturer. Equipment will employ safety equipment, warning lights, and other as required by the Specifications and these Special Provisions.

Sweeper and Broom Options: Table 643-4, Traffic Control Rate Schedule, Street Sweeping.

- a. Regenerative Sweeper: Sweeper that blows a stream of air at the paved surface causing fine particles to rise and be caught through a vacuum system.
- b. Vacuum Sweeper: Sweeper that creates a vacuum at the paved surface sucking dirt, dust, and debris into the collection system.
- c. Mechanical Broom Sweeper: Sweeper designed to pick up and collect larger size road debris, stones and litter, etc. In addition to the requirements noted in these Specifications, use of a mechanical broom sweeper requires the Engineer to approve the sweeper for the intended use.
- d. Power Broom: Power brooming that wets, pushes and or ejects loose material directly into an attached collection/pickup container may be used when approved by the Engineer. The added moisture will be contained to the paved roadway surface.

Dry Power Brooming is not permitted. Power brooming without direct/immediate means of collection/pickup is not permitted.

CR6431-051513

Add No. 9:

9. Truck Mounted Attenuator (TMA). TMAs are mounted on the rear of work vehicles. TMA shall be mounted on a vehicle with a minimum weight of 15,000 pounds and a maximum weight in accordance with the manufacturer's recommendations. TMA shall have an adjustable height so that it can be placed at the correct elevation during usage and to a safe height for transporting. Approach ends of TMAs shall have impact attenuator markings in accordance with the MUTCD. Do not use a damaged attenuator in the work. Replace at your expense, an attenuator damaged from an impact during work.

Add No. 10:

10. Parallel Guardrail Terminal. The price listed in the Traffic Control Rate Schedule, Table 643-4, will be full compensation for the purchase, installation, maintenance during construction, removal, and salvaging the Parallel Guardrail Terminal unit(s). Deliver the salvaged unit(s) to the nearest ADOT & PF Maintenance & Operations yard or as directed by the Engineer.

CR6432-110410

**643-3.05 AUTHORITY OF THE ENGINEER.** Replace the first sentence with:

When existing conditions adversely affect the public's safety or convenience, the Contractor will receive an oral notice. A written notice will follow the oral notice according to Subsection 105-1.01, Authority of the Engineer.

Add the following after the second sentence:

In no case shall this time exceed 24 hours.

CR6431-051513

**643-3.06 TRAFFIC PRICE ADJUSTMENT.** Add the following in the 2<sup>nd</sup> paragraph after the 2<sup>nd</sup> sentence:

Temporary crash cushions required to protect motorists from incomplete guardrail installations, as described in Section 606-5.01 is also an unauthorized lane reduction.

CR6432-110410

Add the following after the 3<sup>rd</sup> paragraph:

Failure to maintain an acceptable infrastructure or traffic control plan will result in a price adjustment equal to 100 percent of the applicable rate shown in Table 643-1, Adjustment Rates, for the time the roadway or pedestrian facility is in an unacceptable condition.

Replace Table 643-1 with the following:

**TABLE 643-1  
ADJUSTMENT RATES**

<b>Published ADT</b>	<b>Dollars/Minute of Delay/Lane</b>
0 – 5,000	\$ 30
5,000 +	\$ 40

CR6431-051513

**643-3.08 CONSTRUCTION SEQUENCING.** Replace the last sentence with:

Unless otherwise determined by the Engineer and on an approved Traffic Control Plan (TCP), do not restrict traffic during the times listed below.

1. Monday through Friday: 0530 hrs to 0800 hrs and 1630 hrs to 1900 hrs.
2. Around any Holiday:
  - a. If a holiday falls on Sunday, Monday, or Tuesday, the above stipulations apply from 1200 hrs on the Friday before the holiday to 0300 hrs on the day after the holiday.
  - b. If a holiday falls on Wednesday, the above stipulations apply from 1200 hrs on the Tuesday before the holiday to 0300 hrs on the Thursday after the holiday.
  - c. If a holiday falls on Thursday, Friday, or Saturday, the above stipulations apply from 1200 hrs on the day before the holiday to 0300 hrs on the Monday after the holiday.

Lane restrictions, if allowed shall be conducted so that no more than a 5 minute accumulated stopped delay, 20 vehicles, or 1/8 mile (660 feet) of traffic is detained, whichever occurs first, before releasing the detained motorists. During paving operations, a 10 minute stopped delay, 40 vehicles, or 1/4 mile (1320 feet) of traffic detained, will be allowed for motorists, except school buses. If a queue of traffic develops at a stop, the entire queue must be emptied to include the last car that entered the queue at the time the queue was released.

Obtain the local school bus schedule and coordinate work efforts to ensure the school buses are not delayed through the construction zone. This plan shall be submitted, as a TCP, to the Engineer for approval before the implementation of the school bus coordination plan.

CR6436-041413

**643-3.09 INTERIM PAVEMENT MARKING.** In the second paragraph, delete the words:

"or cover them with black removable preformed marking tape."

Replace the first sentence in the last paragraph with the following:

Apply final pavement markings according to Subsection 670-3.01, Construction Requirements, of these Special Provisions.

CR6437-041413

Add the following Subsection 643-3.10:

**643-3.10 LIGHTING OF NIGHT WORK.** Illuminate the night work areas specified in Table 643-3, Night Work Illumination Level, and Area of Coverage, to the light levels specified.

Table 643-3 does not provide a comprehensive list of operations that require lighting. Provide lighting for other operations when necessary.

**TABLE 643-3  
NIGHT WORK ILLUMINATION LEVEL AND AREA OF COVERAGE**

<b>Type of Work/Equipment</b>	<b>Lighting Configuration</b>
Paving, Milling, Striping, Pavement Marking Removal, Rumble Strip Installation	At least two machine mounted balloon lights with a cumulative wattage of at least 4000 watts. Provide additional lights or wattage if necessary to provide complete coverage.
Rolling, Pavement Sweeping	At least four sealed beam halogen lamps in the front and four in the back. Each should be at least 55 watts.
Flagging	Two balloon lights of at least 2000 watts each located within 30 feet of the normal flagger location. Locate one on the right side of the road beyond the flagger and the other on the left side of the road in front of the flagger.
Truck Crossings (meaning where haul vehicles cross or enter a road): 1) Roads with ADTs over 10,000 2) That are controlled by portable signals or flaggers	Two Balloon lights of at least 2000 watts each located on the main road, one on the far right side of the intersection, the other on the near left. Locate lights within 30 feet of the edges of the side street. If there is a flagger at the crossing, locate the lights to also meet the requirements for flagging.

Use balloon lighting as the main light sources. Do not use floodlights without prior approval by the Engineer. When approved, install floodlighting in a manner that minimizes glare for motorists, workers, and residents living along the roadway. Locate, aim louver, and/or shield light sources to achieve this goal.

The Engineer shall be the sole judge of when glare is unacceptable, either for traffic or for adjoining residences. When notified of unacceptable glare, modify the lighting system to eliminate it.

If the Contractor fails to provide the lighting equipment specified in Table 643-3 or provides lighting that creates unacceptable glare at any time, the Contractor shall cease the operations that require illumination until the condition is corrected.

Lighting equipment shall be in good operating condition and in compliance with applicable OSHA, NEC, and NEMA codes.

Provide suitable brackets and hardware to mount lighting fixtures and generators on machines and equipment. Design mountings so lights can be aimed and positioned as necessary to reduce glare. Locate mounting brackets and fixtures so they do not interfere with the equipment operator or overhead structures. Connect fixtures securely in a manner that minimizes vibrations.

Ensure ground, trailer, and equipment mounted light towers are sturdy and freestanding without the aid of guy wires. Towers shall be capable of being moved to keep pace with the construction operation.



Position ground and trailer mounted towers and trailers to minimize the risk of being impacted by traffic on the roadway or by construction traffic or equipment.

Raise trailer or equipment mounted lights to maximum height, except do not exceed the clearance required for overhead objects such as trees, aerial utilities, or bridges. Aim and adjust lights to provide the required light levels. Provide uniform illumination on the hopper, auger, and screed areas of pavers. Illuminate the operator's controls on machines uniformly.

Furnish each side of nonstreet legal equipment with a minimum of 75 square inches high intensity retroreflective sheeting in each corner, so at least 150 square inches of sheeting is visible from each direction. Provide red sheeting on the rear of the equipment and yellow sheeting elsewhere.

Existing street and highway lighting and conventional vehicle headlights do not eliminate the need for the Contractor to provide lighting meeting the requirements of Table 643-3.

Provide sufficient fuel, spare lamps, spare generators, and qualified personnel to ensure that required lights operate continuously during nighttime operations. Ensure generators have fuel tanks of sufficient capacity to permit operation of the lighting system for a minimum of 12 hours. In the event of failure of the lighting system, discontinue the operation until the required level and quality of illumination is restored.

Maintain a supply of at least 20 emergency flares for use in the event of emergency or unanticipated situations. Comply with local noise ordinances.

Provide NCHRP 350-compliant breakaway bases for post mounted electroliers located within the clear zone.

ES14-031506

Standard Modification

Add the following Subsection 643-3.11:

**643-3.11 HIGH VISIBILITY GARMENTS.** Ensure all workers within project limits wear outer garments that are highly visible and comply with the following requirements:

1. Standards. Use high visibility garments conforming to the requirements of ANSI/ISEA 107-2004, Class 2 for tops or Class E for bottoms, and Level 2 retroreflective material.
2. Labeling. Use garments labeled in conformance with Section 11.2 of ANSI/ISEA 107-2004.
3. Tops. Wear high visibility vests, jackets, or coverall tops at all times.
4. Bottoms. Wear high visibility pants or coverall bottoms during nighttime work (sunset to sunrise). Worksite traffic supervisors, employees assigned to traffic control duties, and flaggers wear high visibility pants or coverall bottoms at all times.
5. Outer Raingear. Wear raingear tops and bottoms conforming to requirements in this Subsection, 643-3.11.
6. Exceptions. When workers are inside an enclosed compartment of a vehicle, they are not required to wear high visibility garments.
7. Condition. Furnish and maintain vests, jackets, coveralls, rain gear, hard hats, and other apparel in a neat, clean, and presentable condition. Maintain retroreflective material to Level 2 standards.

Payment for high visibility garments for workers is subsidiary to other traffic Pay Items.

E90-100410

**643-4.01 METHOD OF MEASUREMENT.**

2. Traffic Control Device Items. Replace the second sentence with the following:

Special Construction signs are measured by the total area of legend bearing sign panel, as determined under Subsection 615-4.01 and compensation for a 24 hour period shall be made under Construction Signs in the Traffic Control Rate Schedule, Table 643-4.

CR6431-051513

Add No. 16:

16. Reserved.

CR6433-110812

Add No. 17:

17. Hotline Road Report. No measurement required to provide a 24 hour toll free (1-800 ###-####) "Hotline Road Report" telephone with a prerecorded message, and weekly notices with daily updates. Work will be subsidiary to Pay Item 643(1) or 643(2), Traffic Maintenance.

**643-5.01 BASIS OF PAYMENT.**

7. Flagging and Pilot Car. Add the following:

The Engineer will pay for Item 643(15) Flagging on a contingent sum basis at the rate of \$51.00/hour. The Engineer does not require a change order/directive for the flagging Pay Item. Flagging associated with Change Order work will be paid at the prices according to Subsection 109-1.05 Compensation for Extra Work.

11. Traffic Control. Add the following:

The Engineer does not require a change order/directive for Pay Item 643(25), Traffic Control.

12. Portable Changeable Message Board Sign. Add the following:

Two Portable Changeable Message Board Signs used for Permanent Construction Signing will be paid for under Item 643(3) Permanent Construction Signs. Additional portable changeable message board signs will be paid for under 643(25), Traffic Control.

CR6431-051513

Add No. 16:

16. Reserved.

CR6433-110812

Add No. 17:

17. Work Zone Illumination. Payment for work zone illumination is subsidiary to other items.

ES14-031506

Add No. 18:

18. High Visibility Garments. Payment for high visibility garments for workers is subsidiary to other Pay Items.

CR6431-051513

CR6435-041413

CR6437-041413

Add the following:

**TABLE 643-4  
TRAFFIC CONTROL RATE SCHEDULE**

<b>Traffic Control Device</b>	<b>Pay Unit</b>	<b>Unit Rate</b>
Construction Signs	Each/Day	\$6.50
Special Construction Signs	Square Foot	\$28.00
Type II Barricade	Each/Day	\$3.30
Type III Barricade	Each/Day	\$11.00
Traffic Cone or Tubular Marker	Each/Day	\$1.10
Drums	Each/Day	\$3.30
Sequential Arrow Panel	Each/Day	\$55.00
Portable Concrete or Steel F Shape Barrier (12.5 foot long or \$8/foot for other lengths)	Each	\$100.00
Temporary Crash Cushion / Sand or Water Filled Barrels or Barrier (all required per end)	Each	\$1250.00
Temporary Crash Cushion / Redirective	Each	\$2500.00
Pilot Car	Hour	\$70.00
Watering	M-Gallon	\$26.40
Street Sweeping: Regenerative Sweeper, Vacuum Sweeper, Mechanical or Power Broom with Vacuum	Hour	\$183.00
40,000 GVW Truck with Crash Attenuator	Hour	\$130.00
Plastic Safety Fence	Lineal Foot	\$1.00
Portable Changeable Message Board Sign	Calendar Day	\$130.00
Temporary Sidewalk Surfacing	Square Foot	\$2.00
Flexible Markers (Flat Whip, Reflective)	Each	\$60.00
Temporary Guardrail	Lineal Foot	\$25.00

CR6431-051513

Delete Pay Item 643(12).

CR6434-110812

Replace Pay Item 643(15) with the following:

<u>Pay Item No.</u>	<u>Pay Item</u>	<u>Pay Unit</u>
643(15)	Flagging	Contingent Sum

CR6431-051513

## SECTION 670

### TRAFFIC MARKINGS

#### Special Provisions

##### **670-1.01 DESCRIPTION.** Add the following:

Furnish, locate and install Pavement Markings as shown on the Plans and as directed.

Pavement Marking Type: Methyl Methacrylate (MMA)

##### **670-2.01 MATERIALS.** Replace the material reference,

"Methyl Methacrylate Markings" Subsection 712-2.17", with,

Methyl Methacrylate Pavement Markings Subsection 712-2.17

Methyl Methacrylate Pavement Markings are a combination of methyl methacrylate, glass beads and anti-skid aggregate.

##### Replace the last sentence with the following:

Submit a single certification from the manufacturer of the marking material, for each material combination, certifying the combination of marking material, glass beads and anti-skid aggregate, as furnished, provides the durability, retroreflectivity, and skid resistance specified.

##### **670-3.01 CONSTRUCTION REQUIREMENTS.** Delete No. 4 and substitute the following:

#### 4. Methyl Methacrylate Pavement Markings (MMA).

- a. General. 15 days before starting work meet with the Engineer for a prestripping meeting. At this meeting, do the following:
  - (1) Furnish a striping schedule showing areas and timing of work, placing materials and the Traffic Control Plans to be used.
  - (2) Discuss placement of materials, potential problems.
  - (3) Discuss work plan at off ramps, on ramps and intersections.
  - (4) Discuss material handling procedures.
  - (5) Provide copies of the manufacturer's installation instructions and copies of the Material Safety Data Sheets.
- b. Manufacturer's Representative. Provide the services of a manufacturer's representative (the "Manufacturer's Representative"). Ensure the Manufacturer's Representative observes the application of the pavement marking materials. Cooperate with the Manufacturer's Representative and the Engineer to ensure that the materials are placed according to these Specifications and the manufacturer's recommended procedures.
- c. Manufacturer Certified Installers. Install pavement markings using only striping installers certified by the marking materials manufacturer for the specific striping material and method. Submit these certifications to the Engineer at the Preconstruction Conference.
- d. Preparation. Prepare the roadway surface to receive pavement markings according to these Specifications and the manufacturer's recommendations. Clean and dry the roadway surface. Completely remove contaminants such as dirt, loose asphalt, curing agents, surface oils, or existing road marking materials before applying pavement marking material.

e. Equipment.

## (1) Grooving Equipment.

Use grooving equipment that produces a dry cut. Use vacuum shrouded equipment or other equally effective containment procedures.

## (2) Marking Equipment.

- (a) Longitudinal Marking: Use truck mounted application equipment capable of installing a double centerline and a single shoulder line in a single pass. Use automatic bead applicators that place a uniform layer of beads on the lines. Hand units are not permitted.
- (b) Other Markings: Use manual or automatic application equipment. Use stencils or extruders to form sharply defined markings.

f. Application. Apply marking material according to these Specifications and the manufacturer's recommendations. Use equipment designed and capable of properly mixing at the place and time of application and approved by the manufacturer for the type of product being installed.

Anti-skid Aggregate. During marking material application, anti-skid aggregate will be evenly distributed and visible throughout the top 20 mils of the marking material mixture, and after the application, in the surface of the cured material.

## SURFACE APPLIED

Marking thickness will be measured from the pavement surface.

(1) Longitudinal Markings. Apply markings for lane lines, edge lines, and centerlines to yield a thickness of 60 mils.(2) Other Markings.

## (a) Transverse and Symbol Markings:

Apply marking for symbols, arrows, stop bars, railroad symbols, and cross walks to yield a thickness of 60 mils.

## (b) Gore Markings:

Apply diagonal gore markings to yield a thickness of 60 mils.

## INLAID

Groove the area(s) designated in the Plans. Install markings in the same work shift as the grooving operation. Markings will be measured flush with the pavement surface.

(1) Longitudinal Markings. Groove the pavement to a depth of 250 mils. Apply markings for lane lines, edge lines, and centerlines to yield a thickness of 250 mils.(2) Other Markings.

## (a) Transverse and Symbol Markings:

Groove the area for inlaid markings to a depth of 250 mils. Apply marking for symbols, arrows, stop bars, railroad symbols, and cross walks to yield a thickness of 250 mils.

## (b) Roundabouts:

As designated on the plans, groove the area for inlaid markings in roundabouts to a depth of 500 mils. Apply markings to yield a thickness of 500 mils.

## (c) Gore Markings:

Diagonal gore markings will not be inlaid unless shown in the Plans.

- g. Disposal of Waste. Waste material(s) are the Contractor's property. This includes grindings and removed marking material. Do not dispose of or store waste material(s) on State property. Dispose of waste material(s) according to applicable Federal, State, and local regulations.
- h. Sampling. On the form provided by the Engineer, record the following readings and locations where they were taken using project stationing, and submit them to the Engineer with 24 hours for evaluation. Thickness of material and depth of slot are measured from the surface of the pavement.

#### SURFACE APPLIED

- (1) For surface applied longitudinal applications, measure the thickness of the lines (above the pavement surface) at the time of application, every 500 feet.
- (2) For surface applied other markings measure the thickness in three locations for each marking.

#### INLAID

- (1) For inlay longitudinal applications, record the depth of the slot every 500 feet during the grinding operation.
- (2) For inlay other markings measure the thickness in three locations for each marking.

Inspect the markings initially, and again two weeks after placement, to ensure the material has cured properly. Remove soft spots or abnormally darkened areas and replace with material meeting specifications.

The Engineer may elect to use the Contractor's readings or perform additional sampling.

#### **670-3.04 PAVEMENT MARKING REMOVAL.** Add the following:

Coordinate removal work with construction activity. Remove pavement markings the same day permanent markings are applied, unless otherwise directed. Use vacuum shrouded equipment or other equally effective containment procedures.

Replace Subsection 3.06 with the following:

**670-3.06 TOLERANCE FOR LANE STRIPING.**

1. Length of Stripe.  $\pm 2$  inches.
2. Width of Stripe.  $\pm 1/8$  inch.
3. Lane Width.  $\pm 4$  inches from the width shown on the Plans.
4. Stripes on Tangent. Do not vary more than 1 inch laterally within a distance of 100 feet when using the edge of the stripe as a reference.
5. Stripes on Curves. Uniform in alignment with no apparent deviations from the true curvature.
6. All Stripes. Keep the center of the stripe within planned alignment.
7. Double Stripes.  $\pm 1/4$  inch.
8. Thickness of Surface Applied. Minimum specified to a maximum of + 30 mils.
9. Depth of Inlay Slot. Minimum specified to a maximum of + 40 mils.
10. Thickness of Inlaid Marking Material. Fill inlay area completely from the bottom of the inlay to the surface of the pavement.

If it is determined that the material is being placed too thin, the beads are not properly placed, the anti-skid aggregate is not visible, or otherwise not to specification, make immediate adjustments to correct the problem.

Pavement markings applied by any method will be unacceptable if:

1. Marking is not straight or wide enough.
2. Thickness of line is not uniform.
3. Thickness of line is less than specified.
4. Material is uncured.
5. Material blackens or is inconsistent in color.
6. Inlay slot is not the specified depth.
7. Inlay slot is not filled to the specified depth.
8. Edge of the markings is not clear cut and free of overspray.
9. Reflective elements are not properly embedded.
10. Retroreflectivity of the markings is less than specified.
11. Anti-skid aggregate is not visible in the marking material during application and the dried surface.
12. Markings exhibit poor adhesion.
13. Color is not as specified.

Perform repairs using equipment similar to the equipment initially used to place the materials. Do not perform repairs in a "patch work" manner. If more than one repair is required in a single 500 foot section, grind and repair the entire section.



**670-4.01 METHOD OF MEASUREMENT.** Add the following:

Thickness will be measured from the top of the marking to the top of the pavement surface. Marking material placed in a depression left by pavement line removal will not be included in measuring the thickness of the line.

Delete No. 2.

Delete No. 3 and replace with the following:

3. Each. Pavement markings using letters, numbers, and arrows will be measured on a unit basis with each separate word or symbol constituting a unit. Railroad Markings will be measured by the complete unit shown for each lane of travel.

Add the following No. 4:

4. Foot Basis. Longitudinal pavement markings, transverse, and gore markings, surface applied or inlaid will be measured by the linear foot of 4 inch wide line. Wider striping will be measured in multiples of 4 inches.

**670-5.01 BASIS OF PAYMENT.** Add the following:

For all phases of construction: There will be no separate payment for:

- Over-runs of material caused by the variation of the gradation of the asphalt
- Additional material required to achieve the thickness specified on open graded pavement

All work and materials associated with pavement markings are subsidiary to 670 items, including but not limited to:

- Milling for installation of the inlaid pavement markings including the removal of millings
- Temporary pavement markings and removal of conflicting markings, including repair of the roadway surface, milled surface or otherwise
- Traffic Control required for the installation of permanent and temporary pavement markings, removal of conflicting markings, and repairs

Replace Item 670(10) with the following:

Payment will be made under:

<u>Pay Item No.</u>	<u>Pay Item</u>	<u>Pay Unit</u>
670(10)	MMA Pavement Markings	Lump Sum
670(10A)	MMA Pavement Markings, Longitudinal Surface Applied	Linear Foot
670(10B)	MMA Pavement Markings, Symbols and Arrow(s) Surface Applied	Each
670(10C)	MMA Pavement Markings, Transverse and Gore Surface Applied	Linear Foot
670(10D)	MMA Pavement Markings, Longitudinal Inlaid	Linear Foot
670(10E)	MMA Pavement Markings, Symbols and Arrow(s) Inlaid	Each
670(10F)	MMA Pavement Markings, Transverse and Gore Inlaid	Linear Foot

Delete Items 670(11) and 670(12).

CR246-110812

## SECTION 712

### MISCELLANEOUS

#### Special Provisions

**712-2.17 METHYL METHACRYLATE PAVEMENT MARKINGS.** Replace No. 1. Quality Requirements: with the following:

1. Quality Requirements: Use a marking material formulated for the application type specified. Use a marking material manufactured from new materials and free from dirt and other foreign material. Use a methyl methacrylate based resin system for part "A". Use benzoyl peroxide system for part "B".

Extruded or stenciled application: Material formulated for extruded or direct stenciled application with factory intermix beads, and anti skid aggregate and the application of additional surface applied beads.

Submit a manufacturer certification for both the methyl methacrylate material, glass beads and anti-skid aggregate to ensure that the materials furnished conform to these Specifications.

2. Performance Properties: Add the following:

- I. Color: Yellow, PR-1 Chart, 33538 Federal Yellow. White, minimum daylight reflectance of 84.

**712-2.18 GLASS BEADS FOR METHYL METHACRYLATE PAVEMENT MARKINGS.** Replace the bead table with the following:

Use the type and quantity of beads specified in writing by the marking material manufacturer required to satisfy the specified performance requirements. The written certification will note the bead coating is compatible with the marking material binder.

1. Bead Manufacturer and Type.

- a. Swarco, Megalux-Beads or
  - b. Approved equal beads

Approved Equal Beads. Equal beads will demonstrate:

- (1) Bead coatings compatible with marking materials. Marking Material Manufacturer will certify compatibility.
- (2) Lasting retro reflectivity.

CR246-010109

## Special Provisions

Replace Section 727 with the following:

**SECTION 727****SOIL STABILIZATION MATERIAL**

**727-2.07 GEOTEXTILE-ENCASED CHECK DAM AND SEDIMENT BARRIER.** Urethane foam core encased in geotextile material (silt fence material Section 633), minimum 8 inches height by minimum base width of 16 inches by minimum 7 foot length. Overhang the geotextile 6 inch minimum each end with apron type ties by 24 inches each side of the foam core.

**727-2.08 SANDBAG.**

1. Sandbag Sack Fabric. Fabric shall be a nonwoven, needle punched design meeting the Minimum Average Roll Values (MARV) verified in accordance with ASTM D4759.
2. Seam Thread. Similar durability to the sandbag sack fabric.
3. Sandbag Fill Material.

a. Selected Material	703-2.07	Type B
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4. Cinch Ties. Plastic ties or equivalent tie recommended by the sandbag manufacturer.

**727-2.09 MANUFACTURED INLET PROTECTION SYSTEM.**

1. Manufacturers:
  - a. Ultra Tech International – Ultra-DrainGuard
  - b. Bowhead Environmental and Safety - StreamGuard Exert II Sediment Insert
  - c. Enpac - Catch Basin Insert, Oil and Sediment or
  - d. Approved equal.

CR727-050812

## SECTION 730

### SIGN MATERIALS

#### Standard Modification

Delete Subsection 730-2.01 SHEET ALUMINUM and replace with the following:

**730-2.01 SHEET ALUMINUM.** Use alloy 6061-T6, 5052-H36, 5052-H38, or recycled aluminum meeting alloy 3105, as specified in ASTM B 209. Meet the thickness of aluminum sheet designated on the Plans. Verify alloy and temper designation by mill certification.

Before January 1, 2011, treat the aluminum base metal sheets with chromate conversion coating for aluminum to meet ASTM B449, Class 2.

After January 1, 2011, treat the aluminum base metal sheets with a rinsed non-hexavalent chromium conversion coating for aluminum and aluminum alloys that meets ASTM B 921, class one. Handle the cleaned and coated base metal only by a mechanical device or by operators wearing clean cotton or rubber gloves. After cleaning and coating operations, protect the panels at all times from contact or exposure to greases, oils, dust, or other contaminants.

Make each sign panel a continuous sheet for all lengths 72 inches or less in the horizontal direction. Use no more than one vertical splice for signs up to 144 inches in length and 48 inches or less in height.

Meet the panel dimensions specified with a tolerance of 1/16 inch. Furnish metal panels that are cut to size and shape and free of buckles, warp, dents, cockles, burrs, and any other defects resulting from fabrication. Complete all possible fabrication, including shearing, cutting, and punching of holes prior to the base metal preparation.

E86-041210

#### Special Provision

#### **730-2.04 SIGN POSTS.**

Add No. 7:

##### 7. Structural Tubing and W-Shape Beams.

- a. Structural tubing shall conform to ASTM A500, Grade B, or ASTM A501. The tubing shall be square and of the dimensions called for in the Plans with 0.2 inch thick walls. 0.4 inch diameter holes shall be drilled as required to permit mounting of the sign.
- b. W-shape beams shall conform to ASTM A36.
- c. Structural tubing and W-shape beams shall be hot dip galvanized according to 1.b. of this subsection. Damaged and abraded tubes and beams shall be repaired according to 1.c. of this subsection.

CR81-062204

**INDEX**

Standard Modification

**INDEX** Remove the text. *"Approved Products List"* and replace with: *Qualified Products List*

E36-012707

**APPENDIX A**  
**MATERIAL CERTIFICATION LIST**

# HIGHWAY MASTER MATERIALS CERTIFICATION LIST, EXCEPT SECTION 660/661/740

(current 1/30/12)

**Project Name**

Arctic Blvd Bike Lanes: Fireweed Lanes to 10th Ave, PM&E No. 10-56

**Project Number**

M-000S(789) / 53619

**Project Engineer Signature**

Unshaded boxes indicate who approves the manufacturer's certificate of compliance or materials submittals. If two boxes not shaded, either approving authority may be used.

Materials Item	Specification 2004 or Std. Mod. if noted	Construction		Design		Statewide Materials		Manufacturer/ Remarks	Certificate Location e.g. Binder #
		Project Engineer	Regional Materials or QA Engineer	Design Engineer of Record	State Bridge Engineer	Regional Traffic Engineer	*Qualified Products List (QPL)		
<b>615 STANDARD SIGNS</b>									
Sheet Aluminum	730-2.01/Plans								
Sign Framing Members	Std. Dwg. S-20.10								
Reflective Sheeting	730-2.03								
Reflective Sheeting Warranty	615-2.01								
Sign Posts	730-2.04								
Perforated Steel Posts									
Sign Bases	615-2.01/Plans								
Slip Base	615-2.01/ 501- 3.01								
Concrete									
<b>641 EROSION, SEDIMENT AND POLLUTION CONTROL</b>									
BMP Installations	641-2.05							641 Control and Stabilization Materials identified and documented in SWPPP and approved on project.	
<b>643 TRAFFIC MAINTENANCE</b>									
Traffic Control Devices	643-2.01							643 Materials approved on project with TCP conforming to Alaska Traffic Manual (ATM).	
<b>670 TRAFFIC MARKINGS</b>									
Traffic Paint, Beads Combined Cert.	708-2.03, 712- 2.08								

\*Unshaded boxes under QPL do not indicate that the materials are currently on that list. They indicate materials with potential for being on the QPL once qualified. See Section 106-1.05 for submittal requirements.

Unshaded boxes indicate who approves the manufacturer's certificate of compliance or materials submittals. If two boxes not shaded, either approving authority may be used.

The information on this form is to be used for the purpose of certifying the materials and methods used in the construction of a project. It is not to be used for the purpose of certifying the quality of the materials and methods used in the construction of a project. The information on this form is to be used for the purpose of certifying the materials and methods used in the construction of a project. It is not to be used for the purpose of certifying the quality of the materials and methods used in the construction of a project.											
Materials Item	Specification 2004 or Std. Mod. if noted	Construction		Design			Statewide Materials		Manufacturer/ Remarks	Certificate Location e.g. Binder #	
		Project Engineer	Regional Materials or QA Engineer	Design Engineer of Record	State Bridge Engineer	Regional Traffic Engineer	*Qualified Products List (QPL)	State Materials or QA Engineer			
Preformed Pavement Markings  Methyl Methacrylate Markings, Beads, Anti-Skid Combined Cert.	712-2.14										
	712-2.17, 712-2.08										

\*Unshaded boxes under QPL do not indicate that the materials are currently on that list. They indicate materials with potential for being on the QPL once qualified. See Section 106-1.05 for submittal requirements.





