

INVITATION FOR BID

SOLICITATION NUMBER: 6982AF23B000014
SOLICITATION TYPE: TOTAL SMALL BUSINESS SET-ASIDE
PROJECT NUMBER: CA ERFO FS LSPDR 2021-1(1)
PROJECT NAME: NACIMIENTO-FERGUSSON ROAD

BID OPENING DATE:

See Page A-1, Item 13A

**This solicitation cites Standard Specifications for
Construction of Roads and Bridges on
Federal Highway Projects, FP-14 US Customary Units**

ISSUING OFFICE:



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CENTRAL FEDERAL LANDS HIGHWAY DIVISION
12300 W. DAKOTA AVENUE, SUITE 360
LAKEWOOD, CO 80228**

Web site: <https://highways.dot.gov/federal-lands>

E-mail: CFLContracts@dot.gov

| | |
|---------------------|---|
| PROJECT | CA ERFO FS LSPDR 2021-1(1) |
| LOCATION | THE LOS PADRES NATIONAL FOREST |
| COUNTY | MONTEREY |
| STATE | CALIFORNIA |
| LENGTH | SCHEDULE A: 0.03 MILES |
| TYPE OF IMPROVEMENT | EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS, ROAD RECONSTRUCTION, MSE WALL, CULVERT AND SLOPE REPAIR |

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SPECIAL CONTRACT REQUIREMENTS (SCRs)

The following Special Contract Requirements amend and supplement the Standard Specification for Construction of Roads and Bridges on Federal Highway Projects

Division 100 E-1

Division 150 E-17

Division 200 E-34

Division 300 E-39

Division 400 E-40

Division 500 See the FP-14

Division 600 E-43

Division 700 E-51

APPENDICES

Appendix A.....Fire Plan

Appendix B401 Permit

Appendix C404 Permit

PROJECT OVERVIEW

The project is located approximately 33 miles southwest of King City, CA on Forest Service Route 22S01 (Nacimiento Fergusson Road) within the Los Padres National Forest in Monterey, CA. The project consists of repairing several sites, encompassing 11 miles along the route. Site repairs generally include embankment construction, retaining walls, and culvert replacements.

NOTICE TO BIDDERS

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I. PRE-BID INFORMATION

ELECTRONIC BIDS WILL NOT BE ACCEPTED. Submit a printed copy of your bid to the address listed on the SF-1442 (Page A-1, Item 8). Submit the following documents with your Bid Package–

- SF-1442, Solicitation, Offer & Award, Pages A-1 and A-2
- Indication of interest in formal Partnering, Page A-5
- Bid Schedule Pages A-6 through A-10
- Completed an applicable Authority to Bind certificate, pages A-11 through A-15
- Buy American Act & Hazardous Materials, Pages A-16 through A-17
- Bid Guarantee (see FAR Clause 52.228-1), Pages B-1 and B-2. Bid bonds must be originals with original signatures and corporate seals. Photocopies and Faxed copies are NOT acceptable and will make your bid non-responsive.
 - Digital copies may be downloaded at <https://www.gsa.gov/forms-library/bid-bond>
- Completed the VETS-4212 declaration, Page A-ii; Bidders' Information, Pages B-3 through B-6.

Bidders should retain all other pages for their information. Bids should be submitted in a sealed envelope and include the Contractor's Name, Solicitation Number and the Project Number/Name.

It is the responsibility of the bidder to verify that this solicitation document, including the plans, are complete as listed in the table of contents and the index to sheets. Plan sheets can be found at <https://sam.gov> and viewed by individual sections, downloaded by individual sections, or the entire plan set downloaded in a zip file. Physical data relevant to this solicitation may also be viewed or downloaded at the above site.

This solicitation and subsequent contract are governed by the Federal Acquisition Regulations (FAR), agency supplemental regulations, and the Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, FP-14.

The FP-14 was utilized for the design of this project. Paper copies of the FP-14 will not be provided to bidders or the awarded Prime Contractor. The FP-14 is available electronically at <https://flh.fhwa.dot.gov/resources/specs/> and a copy is uploaded with this solicitation. A single paper copy can be obtained from the Research & Technology Distribution Center (RTPDC) by email report.center@dot.gov.

Applicable FAR/TAR provisions and clauses in this IFB are incorporated by reference or full text. FAR provisions and clauses incorporated by reference can be accessed on the Internet at <https://www.acquisition.gov/content/regulations>.

NOTICE TO BIDDERS

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Notice of SAM Registration – you must be registered in the System for Award Management (SAM) prior to submission of a bid in response to this solicitation. Failure to register prior to submission of a bid may require award to the next successful registered offeror. See FAR Subpart 4.1102. Register online at www.sam.gov.

Representations and Certifications – This solicitation is issued under **NAICS 237310** – Highway, Street & Bridge Construction with a small business size standard of \$45 million. If your average annual gross receipts for the past 5 years are above \$45 million, you are a large business for this solicitation. If they are below \$45 million you are a small business. Before submitting bids, you must ensure you have completed your annual representations and certifications electronically at the SAM website at www.sam.gov. Include NAICS 237310 in your SAM profile.

Vets-4212 Reporting: - The Contractor must complete the report if required. See reporting requirements at: <https://www.dol.gov/agencies/vets/contractor/instructions-for-electronic-submission-vets-4212-reports>.

- My firm had a qualifying Federal Contract in 2022 and has complied with the reporting requirements.
- My firm did not have a qualifying Federal Contract in 2022 and is therefore exempt from the reporting requirements

Bid Guarantee – Follow the requirements of FAR Clause *52.228-1 Bid Guarantee* and Subpart 102.03 of the FP-14. Bid bonds must be originals and have original signatures and corporate seals. Photocopied and faxed copies of bonds will be rejected and cause your bid to be non-responsive.

Accuracy and Completeness of Bid- The Contractor is fully responsible to verify that all data is correct when an offer is submitted. Failure to properly update your data may cause the offer to be rejected.

Request for Technical Information – Questions relative to the plans and SCRs for this solicitation will only be accepted in writing (see Item 9 on Page A-3).

TECHNICAL QUESTIONS REGARDING THIS SOLICITATION WILL NOT BE ACCEPTED AFTER 4 P.M. ON April 24, 2023

Questions can be submitted to CFLContracts@dot.gov. Questions and answers will be posted at <https://sam.gov>

Modifications to Bids - Bids may be modified or withdrawn by regular mail, electronic commerce (email) or facsimile, if such notice is received **prior to the time specified for receipt of bids**. The Government will not be responsible for ANY failure attributable to the transmission or receipt of electronic commerce (email) or facsimile data.

For all modifications, we **STRONGLY ENCOURAGE** you to resubmit the entire bid schedule

NOTICE TO BIDDERS

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with a unit price and amount for every bid item, and a Schedule Total. See FAR Provision 52.214-5, Submission of Bids. Modifications which make the bid ambiguous, indefinite, or uncertain as to any essential requirement of the contract will cause the bid to be rejected as nonresponsive.

FAX Number to submit modifications to bids for this project is (720) 963-3360

Email Address to submit modifications to bids for this project is cflcontracts@dot.gov

II. POST AWARD INFORMATION

CFLHD will no longer be providing paper copies of the conformed contract to the Awarded Prime Contractor.

Subcontracting - FAR Clause 52.219-8, *Utilization of Small Business Concerns* states that Prime Contractors afford small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns the maximum practicable opportunity to participate in performing contracts let by any Federal agency.

Insurance requirements - See Subsection 107.05 of the FP-14.

EEBACS - Contractors shall use the Government's web-based system, *Engineer's Estimating, Bidding, Award, and Construction System (EEBACS)*, to prepare all "*Inspector's Daily Record of Construction Operations*" (*Contractors Daily Reports*) and measurement notes (pay notes).

The Contractor shall be required to attend a training session on the use of EEBACS. The training session will require up to 4 hours. No more than 3 Contractor staff may attend the training unless approved by the CO. The Contractor shall be responsible for training additional staff.

The Contractor shall be required to submit a user account form to gain access to the EEBACS system. See Subsection 108.01.

A user guide, "*EEBACS for Construction Contractors*", is available. An electronic version can be found at <https://highways.dot.gov/federal-lands/estimates/eebacs-guide>

| | | | | |
|---|---|--|--|-------------------------|
| SOLICITATION, OFFER AND AWARD <i>(Construction, Alteration or Repair)</i> | 1. SOLICITATION NO. 6982AF23B000014 | 2. TYPE OF SOLICITATION <input checked="" type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP) | 3. DATE ISSUED 03/27/2023 | PAGE OF PAGES 1 of 2 |
| IMPORTANT - THE "OFFER SECTION ON THE REVERSE MUST BE FULLY COMPLETED BY OFFEROR. | | | | |
| 4. CONTRACT NO. | 5. REQUISITION/PURCHASE REQUEST NO. HFLCEO230081PR | 6. PROJECT NO. CA ERFO FS LSPDR 2021-1(1) | | |
| 7. ISSUED BY: FEDERAL HIGHWAY ADMINISTRATION CENTRAL FEDERAL LANDS DIVISION 12300 WEST DAKOTA AVENUE, SUITE 167 LAKEWOOD, COLORADO 80228 | | CODE: 69050001 | 8. ADDRESS OFFER TO: Laura Vallejos, Contract Specialist Federal Highway Administration Central Federal Lands Division Office 12300 W. Dakota Avenue Lakewood, CO 80228 | |
| 9. FOR INFORMATION CALL SEE PAGE A-3 | A. NAME: SEE PAGE A-3 | B. TELEPHONE NO. <i>(Include area code)</i> SEE PAGE A-3 | | |
| SOLICITATION | | | | |
| <i>NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder."</i> | | | | |
| 10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS: ROADWAY CONSTRUCTION PROJECT IN STRICT ACCORDANCE WITH: <ol style="list-style-type: none"> 1. FEDERAL ACQUISITION AND TRANSPORTATION ACQUISITION REGULATIONS (FAR & TAR) 2. DEPARTMENT OF LABOR, CONSTRUCTION WAGE RATE REQUIREMENT RATES 3. SPECIAL CONTRACT REQUIREMENTS 4. PLANS 5. BID SCHEDULE 6. STANDARD SPECIFICATIONS FOR CONSTRUCTION OF ROADS AND BRIDGES ON FEDERAL HIGHWAY PROJECTS, FP-14, U.S. CUSTOMARY UNITS See Subsection 104.04 of the FP-14 for governing order of precedence | | | | |
| 11. The Contractor shall begin performance within <u>10</u> calendar days and complete it within <u> </u> * calendar days after receiving <input type="checkbox"/> award <input checked="" type="checkbox"/> notice to proceed. The performance period is <input checked="" type="checkbox"/> mandatory <input type="checkbox"/> negotiable. *Refer to Subsection 108.01 as amended in the Special Contract Requirements. | | | | |
| 12A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? <i>(If "YES," indicate within how many calendar days after award in Item 12B.)</i> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | | 12B. CALENDAR DAYS 10 | |
| 13. ADDITIONAL SOLICITATION REQUIREMENTS: A. Sealed offers in original and <u>0</u> copies to perform the work required are due at the place specified in Item 8. by <u>2:00 p.m.</u> (hour) local time on <u>4/27/23</u> (date). If this is a sealed bid solicitation, offers will be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due. B. An offer guarantee <input checked="" type="checkbox"/> is <input type="checkbox"/> is not required. C. All offers are subject to the (1) work requirements and (2) other provisions and clauses incorporated in the solicitation in full text or by reference. D. Offers providing less than <u>60</u> calendar days for Government acceptance after the date offers are due will not be considered and will be rejected. | | | | |

OFFER (Must be fully completed by offeror)

| | |
|--|--|
| 14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code) | 15. TELEPHONE NUMBER (Include area code) |
| CODE | 16. REMITTANCE ADDRESS (Include only if different than Item 14.) |
| FACILITY CODE | |

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

AMOUNTS

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

19. ACKNOWLEDGMENT OF AMENDMENTS

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

| AMENDMENT NUMBER | | | | | | | | | | |
|------------------|--|--|--|--|--|--|--|--|--|--|
| DATE | | | | | | | | | | |

| | | |
|--|----------------|-----------------|
| 20a. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print) | 20b. SIGNATURE | 20c. OFFER DATE |
|--|----------------|-----------------|

AWARD (To be completed by Government)

21. ITEMS ACCEPTED:

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

| | |
|--|---|
| 24. SUBMIT INVOICES TO ADDRESS SHOWN IN (4 copies unless otherwise specified) | 25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO THE UNITED STATES CODE AT <input type="checkbox"/> 10 U.S.C. 3204(a) () <input type="checkbox"/> 41 U.S.C. 3304(a) () |
|--|---|

| | |
|---------------------|-----------------------------|
| 26. ADMINISTERED BY | 27. PAYMENT WILL BE MADE BY |
|---------------------|-----------------------------|

CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE

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

| | | | |
|--|--|-------------------------------------|-----------|
| 30a. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN (Type or print) | 31a. NAME OF CONTRACTING OFFICER (Type or print) | | |
| 30b. SIGNATURE | 30c. DATE | 31b. UNITED STATES OF AMERICA BY | 31c. DATE |

- Item 8:** **LOCATION OF PUBLIC BID OPENING:** Offers must be received by designated date and time as stated in Item 13A.
- Item 9:** **FOR GENERAL INFORMATION:** E-mail us at CFLContracts@dot.gov.
- FOR TECHNICAL INFORMATION (plans and specifications):** Questions must be submitted in writing by e-mail at CFLContracts@dot.gov .
- Item 11:** **COMPLETION DATE:** Work shall be completed on or before the date specified in *Subsection 108.01 of the SCRs*.
- Item 12A:** **PERFORMANCE AND PAYMENT BONDS:** See FAR *Clause 52.228-15 Performance and Payment Bonds-Construction* (Clauses begin on Page C-1) and Subsection 102.06 of the FP-14.
- Item 13B:** **BID BOND AMOUNT:** See FAR Provision *52.228-1 Bid Guarantee* (Provisions begin on Page B-1) and *Subsection 102.03 Bid Guarantee* of the FP-14. All bid guarantees must have original signatures with original corporate seals.
- Item 19:** **ACKNOWLEDGMENT OF AMENDMENTS: FAILURE TO ACKNOWLEDGE AMENDMENTS, IN ITEM 19 OF THE SF-1442, BY THE DESIGNATED DATE AND HOUR SPECIFIED IN THE SOLICITATION MAY RESULT IN REJECTION OF YOUR BID.** If amendments are issued, they will be posted to <https://sam.gov>.
- Item 24:** **SUBMITTING INVOICES:** See *Subsection 109.08 Progress Payments* of the FP-14.

ESTIMATED

PRICE: The price range of the project work is between \$5,000,000 and \$10,000,000.

Bid Schedule Instructions

BIDDERS, PLEASE NOTE: This Bid Proposal is comprised of one schedule. Before preparing the bid, carefully read the Solicitation Provisions and the following:

- Insert a numeric unit bid price for each pay item for which a quantity appears in the bid schedule. Unit bid prices should be quoted no more precisely than the nearest cent (2 decimal places). Unit bid prices quoted more precisely will be rounded up to the nearest cent by the Government
- Multiply the unit price by the quantity for each pay item and show the amount bid. When the words “Lump Sum” appear as a unit bid price, insert an amount for each lump sum pay item.
- Total all amounts bid for each pay item and show the Construction Cost Total on the space provided on the last page of each schedule or option.
- Also show the Construction Cost Total for each schedule/option as well as the combined Total of each Schedule and the Option in the spaces provided on the Bid Summary page.

NOTE: If the amount bid for a pay item is inconsistent with the product of the unit price provided by the bidder and the quantity provided by the Government, the unit price will govern and the Government will determine a corrected amount bid for the pay item by multiplying the unit price by the quantity.

Basis for Award

To be eligible for award of contract, the offeror shall submit prices for each item necessary to complete all contract work in Schedule A.

Accordingly, award of contract, if made, will be made to the lowest responsive, responsible bidder, if funds are available.

Partnering

A Partnership recognizes the Government and the Contractor are both responsible and can affect the successful completion of this project. Partnering is a vehicle to ensure the partnership has structure and quality. It recognizes the strengths of each party and uses those strengths to identify and achieve shared goals. One of the primary objectives of Partnering is to facilitate the resolution of disputes in a timely, professional, and non-adversarial manner with the outcome focused on achieving those shared goals.

CFLHD supports the concepts and tenets of Partnering and as such is encouraging the Contractors and it's subcontractors to establish a Partnering relationship on this project.

A formal Partnering meeting can help facilitate this relationship by helping do document the parties' common purpose and goals, and ensuring alignment. The goals are mutually agreed upon and address effective and efficient performance within the scope of the contract.

Participation in a formal Partnering meeting is voluntary. Costs of implementing and maintaining the partnership would be agreed to by both parties as described in *Subsection 103.05 Partnering* of the FP-14. Costs of partnering would be in addition to the contract award amount.

Please indicate your desire to participate in a formal partnering meeting on this project.

We would like to participate in a formal partnering meeting.

We do not want to participate in a formal partnering meeting.

Bidder/Offeror please note: Before preparing the bid, carefully read the Solicitation Provisions.

Insert a unit bid price, in figures, for each pay item for which a quantity appears in the bid schedule. Multiply the unit price by the quantity for each pay item and show the amount bid. Should any mathematical check made by the Government show a mistake in the amount bid, the corrected unit price extension shall govern.

When the word "LPSM" (Lump Sum) appears as a unit bid price, insert an amount for each lump sum pay item.

When a sum based on a fixed rate appears for any pay item in the amount bid column, include the Government inserted amount bid for the item in the total bid amount.

Total all of the amounts bid for each pay item and show the total bid amount.

| Item No. | Pay Item No. | Description | Quantity | Unit | Unit Price | Amount |
|----------|--------------|--|----------|------|------------|---------|
| A1000 | 15101-0000 | MOBILIZATION | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1020 | 15201-0000 | CONSTRUCTION SURVEY AND STAKING | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1040 | 15301-0000 | CONTRACTOR QUALITY CONTROL | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1060 | 15401-0000 | CONTRACTOR TESTING | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1080 | 15501-0000 | CONSTRUCTION SCHEDULE | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1100 | 15701-0000 | SOIL EROSION CONTROL | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1120 | 15720-0000 | STORM WATER POLLUTION PREVENTION PLAN | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1140 | 15802-0000 | WATERING FOR DUST CONTROL | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1160 | 20102-0000 | CLEARING AND GRUBBING | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1180 | 20304-1000 | REMOVAL OF STRUCTURES AND OBSTRUCTIONS | | | | |
| | | | ALL | LPSM | \$__LPSM__ | \$_____ |
| A1200 | 20401-0000 | ROADWAY EXCAVATION | | | | |
| | | | 4,580 | CUYD | \$_____ | \$_____ |
| A1220 | 20420-0000 | EMBANKMENT CONSTRUCTION | | | | |
| | | | 380 | CUYD | \$_____ | \$_____ |
| A1240 | 20441-0000 | WASTE | | | | |
| | | | 3,550 | CUYD | \$_____ | \$_____ |
| A1260 | 25101-0300 | PLACED RIPRAP, METHOD A, CLASS 3 | | | | |
| | | | 22.0 | CUYD | \$_____ | \$_____ |

Bid Schedule

Schedule:A

Schedule Type:Base

Project No:CA ERFO FS LSPDR 2021-1(1)

Project Name:Nacimiento-Fergusson Rd

| | | | | | | |
|-------|------------|--|-------|------|---------------|----------|
| A1280 | 25101-0500 | PLACED RIPRAP, METHOD A, CLASS 5 | 170.0 | CUYD | \$ _____ | \$ _____ |
| A1300 | 25501-0000 | MECHANICALLY STABILIZED EARTH WALL | 4,130 | SQFT | \$ _____ | \$ _____ |
| A1320 | 25701-0200 | CONTRACTOR FURNISHED MECHANICALLY STABILIZED EARTH WALL DESIGN | ALL | LPSM | \$ LPSM _____ | \$ _____ |
| A1340 | 30202-2000 | ROADWAY AGGREGATE, METHOD 2 | 1,200 | TON | \$ _____ | \$ _____ |
| A1360 | 40301-0100 | ASPHALT CONCRETE PAVEMENT, TYPE 1 | 610 | TON | \$ _____ | \$ _____ |
| A1380 | 40601-0000 | FOG SEAL | 2.0 | TON | \$ _____ | \$ _____ |
| A1400 | 41102-1000 | PRIME COAT, METHOD 1 | 3,600 | SQYD | \$ _____ | \$ _____ |
| A1420 | 41105-0000 | BLOTTER | 6.0 | TON | \$ _____ | \$ _____ |
| A1440 | 41201-0000 | TACK COAT | 2.0 | TON | \$ _____ | \$ _____ |
| A1460 | 60103-0000 | CONCRETE, HEADWALL (AND WINGWALLS) | 3 | EACH | \$ _____ | \$ _____ |
| A1480 | 60201-0800 | 24-INCH PIPE CULVERT | 144 | LNFT | \$ _____ | \$ _____ |
| A1500 | 60201-1000 | 36-INCH PIPE CULVERT | 75 | LNFT | \$ _____ | \$ _____ |
| A1520 | 60201-1200 | 48-INCH PIPE CULVERT | 190 | LNFT | \$ _____ | \$ _____ |

| | | | | | | |
|-------|------------|--|-----|------|----------|----------|
| A1540 | 60201-1600 | 72-INCH PIPE CULVERT | 110 | LNFT | \$ _____ | \$ _____ |
| A1560 | 60210-0800 | END SECTION FOR 24-INCH PIPE CULVERT | 3 | EACH | \$ _____ | \$ _____ |
| A1580 | 60210-1000 | END SECTION FOR 36-INCH PIPE CULVERT | 1 | EACH | \$ _____ | \$ _____ |
| A1600 | 60210-1200 | END SECTION FOR 48-INCH PIPE CULVERT | 4 | EACH | \$ _____ | \$ _____ |
| A1620 | 60210-1600 | END SECTION FOR 72-INCH PIPE CULVERT | 1 | EACH | \$ _____ | \$ _____ |
| A1640 | 60403-0000 | INLET (CONCRETE BOX) | 4 | EACH | \$ _____ | \$ _____ |
| A1660 | 60601-0000 | SPILLWAY ASSEMBLY | 1 | EACH | \$ _____ | \$ _____ |
| A1680 | 60602-0700 | PIPE ANCHOR ASSEMBLY, 24-INCH | 12 | EACH | \$ _____ | \$ _____ |
| A1700 | 60602-1100 | PIPE ANCHOR ASSEMBLY, 48-INCH | 6 | EACH | \$ _____ | \$ _____ |
| A1720 | 62201-0150 | DUMP TRUCK, 7 CUBIC YARD MINIMUM CAPACITY | 60 | HOUR | \$ _____ | \$ _____ |
| A1740 | 62201-0900 | WHEEL LOADER, 2 CUBIC YARD MINIMUM RATED CAPACITY | 60 | HOUR | \$ _____ | \$ _____ |
| A1760 | 62201-2750 | MOTOR GRADER | 60 | HOUR | \$ _____ | \$ _____ |
| A1780 | 62201-3350 | HYDRAULIC EXCAVATOR, 1 CUBIC YARD MINIMUM CAPACITY | 60 | HOUR | \$ _____ | \$ _____ |
| A1800 | 62301-0000 | GENERAL LABOR | 120 | HOUR | \$ _____ | \$ _____ |

Bid Schedule

Schedule:A

Schedule Type:Base

Project No:CA ERFO FS LSPDR 2021-1(1)

Project Name:Nacimiento-Fergusson Rd

| | | | | | | |
|---------------------|------------|---|-----------------------|------|-------------|----------|
| A1820 | 62302-1000 | SPECIAL LABOR, HIRED TECHNICAL SERVICES (BIOLOGIST) | 40 | HOUR | \$ _____ | \$ _____ |
| A1840 | 62302-1000 | SPECIAL LABOR, HIRED TECHNICAL SERVICES | 60 | HOUR | \$ _____ | \$ _____ |
| A1860 | 62302-1100 | SPECIAL LABOR, HIRED SURVEY SERVICES | 60 | HOUR | \$ _____ | \$ _____ |
| A1880 | 62405-0400 | PLACING CONSERVED TOPSOIL, 6-INCH DEPTH | 2,980 | SQYD | \$ _____ | \$ _____ |
| A1900 | 62511-2000 | SEEDING, HYDRAULIC METHOD | 2,980 | SQYD | \$ _____ | \$ _____ |
| A1920 | 62516-2000 | MULCHING, HYDRAULIC METHOD | 2,980 | SQYD | \$ _____ | \$ _____ |
| A1940 | 62901-1100 | ROLLED EROSION CONTROL PRODUCT, TYPE 4 | 2,980 | SQYD | \$ _____ | \$ _____ |
| A1960 | 63308-0000 | OBJECT MARKER (L-1) | 16 | EACH | \$ _____ | \$ _____ |
| A1980 | 63308-3000 | OBJECT MARKER, TYPE 3 | 14 | EACH | \$ _____ | \$ _____ |
| A2000 | 63309-0000 | DELINEATOR | 120 | EACH | \$ _____ | \$ _____ |
| A2020 | 63501-0000 | TEMPORARY TRAFFIC CONTROL | ALL | LPSM | \$ __LPSM__ | \$ _____ |
| A2040 | 63701-0000 | FIELD OFFICE | 1 | EACH | \$ _____ | \$ _____ |
| Submitted by: _____ | | | Schedule Total: _____ | | | |

INSTRUCTIONS: When the offeror/principal is a limited liability corporation, include this certification with your offer/bid.

Limited Liability Certificate

I, _____(name), certify that I am the

_____ (title), of the limited liability company

named as the Offeror/Principal herein;

that _____(name), who signed this

offer and/or bid bond on behalf of _____(company name) is

_____ (title) of this company;

that the offer was duly signed for and on behalf of said company by authority and scope of its

governing body, and within the scope of its powers.

_____(signature)

_____(title)

Affix Company Seal
(as applicable)

INSTRUCTIONS: When the offeror/principal is a partnership, include this certification with your offer/bid.

Authority to Bind Partnership

This certifies that the names and signatures of all partners are listed below, and that the person signing the proposal has the authority to actually bind the partnership pursuant to its partnership agreement. Each of the partners individually has full authority to enter into and execute contractual instruments on behalf of said partnership, except as follows:

(State "None" or describe limitations, if any)

This authority shall remain in full force and effect until such time as the revocation of authority by any cause whatsoever has been furnished in writing to and acknowledge by the Contracting Officer.

(Include names and signatures of all partners)

| | |
|-------|-------|
| <hr/> | <hr/> |

INSTRUCTIONS: When the offeror/principal is a joint venture, include this certification with your offer/bid.

Authority to Bind Joint Venture

This certifies that the person signing the proposal has the authority to actually bind the joint venture pursuant to its joint venture agreement, and that each of the named persons listed below individually has full authority to enter into and execute contractual instruments on behalf of said joint venture, except as follows:

(State "None" or describe limitations, if any)

This authority shall remain in full force and effect until such time as the revocation of authority by any cause whatsoever has been furnished in writing to and acknowledge by the Contracting Officer.

(Include names and signatures of all applicable individuals)

| | |
|-------|-------|
| <hr/> | <hr/> |

INSTRUCTIONS: When the offeror/principal is a sole proprietorship, include this certification with your offer/bid.

Sole Proprietorship Requirement

An Offeror/Principal that is a sole proprietorship must submit an offer/bid and a bond signed by the sole proprietor, or by one duly authorized to sign for the sole proprietor. If the signature is by someone other than the sole proprietor, a copy of the power of attorney authorizing the individual to sign must be provided with the offer/bid.

**BUY AMERICAN ACT- CONSTRUCTION MATERIALS
UNDER TRADE AGREEMENTS**

It is understood and agreed that the materials and components listed in Subparts 25.1 and 25.2 of the FAR are a part of this contract and are deemed to be Domestic Construction Material for the purposes of this contract.

NOTE TO CONTRACTOR:

The following information and any applicable supporting data is required for evaluation of requests under FAR Clause 52.225-11 Paragraph (c) & (d) and FAR Provision 52.225- 12 Paragraph (b).

Material and/or Component

| Construction Material Description | Unit of Measure | Quantity | *Cost Delivered to Job Site |
|-----------------------------------|-----------------|----------|-----------------------------|
| Foreign Construction Material | | | |
| | | | |
| Comparable Domestic Material | | | |
| | | | |

Material and/or Component

| Construction Material Description | Unit of Measure | Quantity | *Cost Delivered to Job Site |
|-----------------------------------|-----------------|----------|-----------------------------|
| Foreign Construction Material | | | |
| | | | |
| Comparable Domestic Material | | | |
| | | | |

[Include all delivery costs to the construction site and any applicable duty (whether or not a duty-free entry certificate is issued).]
[Please include name, address, telephone number and contact for suppliers surveyed. Attach copy of response; if oral, attach summary. Include all applicable supporting information.]*

HAZARDOUS MATERIALS

As required by FAR Clause 52.223-3, Hazardous Materials Identification and Safety Data - Alternate I, the apparent low bidder must submit prior to award a Material Safety Data Sheet (MSDS) for all hazardous materials that the bidder identifies in paragraph (b) of the FAR clause and defined under the latest version of Federal Standard No. 313.

| Hazardous Material | Identification Number |
|--------------------|-----------------------|
| | |
| | |
| | |
| | |

USE OF RECOVERED MATERIALS ON FEDERAL LANDS HIGHWAY PROJECTS

Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 U.S.C. 6901 et seq.), requires Federal, State, and local procuring agencies using appropriated Federal funds to purchase items composed of the highest percentage of recovered materials practical. Use of recovered materials is strongly encouraged on Federal Lands Highway Projects. Highway construction items covered by the Environmental Protection Agency's *Comprehensive Guidelines for Procurement of Products Containing Recovered Materials* include fly ash, ground granulated blast furnace slag, traffic barricades, traffic cones, hydraulic mulch and compost for mulch.

Use of fly ash and ground granulated blast furnace slag and construction materials containing fly ash and ground granulated blast furnace slag on Federal Lands Highway Projects:

- It is the policy of the United States Government that fly ash and ground granulated blast furnace slag and materials containing fly ash and ground granulated blast furnace slag shall have maximum practicable opportunity for incorporation into its construction projects.
- The Contractor agrees to investigate the use of fly ash and ground granulated blast furnace slag and materials containing fly ash and ground granulated blast furnace slag to the fullest extent consistent with the efficient performance of this contract. Both the contractor and the subcontractors are urged to seek out suppliers of fly ash and ground granulated blast furnace slag, cement and concrete containing fly ash and ground granulated blast furnace slag and to solicit bids for these materials.
- Names of firms that supply fly ash and ground granulated blast furnace slag and materials containing fly ash and ground granulated blast furnace slag are available from the American Coal Ash Association and the National Slag Association.

| | | |
|---|---|---|
| BID BOND <i>(See instructions on reverse)</i> | DATE BOND EXECUTED <i>(Must not be later than bid opening date)</i> | OMB Control Number: 9000-0045 Expiration Date: 8/31/2025 |
|---|---|---|

Paperwork Reduction Act Statement - This information collection meets the requirements of 44 USC § 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget (OMB) control number. The OMB control number for this collection is 9000-0045. We estimate that it will take 1 hour to read the instructions, gather the facts, and answer the questions. Send only comments relating to our time estimate, including suggestions for reducing this burden, or any other aspects of this collection of information to: General Services Administration, Regulatory Secretariat Division (M1V1CB), 1800 F Street, NW, Washington, DC 20405.

PRINCIPAL *(Legal name and business address)*

TYPE OF ORGANIZATION ("*X*" one)

- INDIVIDUAL
 PARTNERSHIP
 JOINT VENTURE
 CORPORATION
 OTHER *(Specify)*

STATE OF INCORPORATION

SURETY(IES) *(Name and business address)*

| PENAL SUM OF BOND | | | | | BID IDENTIFICATION | |
|----------------------|----------------------|-------------|------------|-------|---|-------------------|
| PERCENT OF BID PRICE | AMOUNT NOT TO EXCEED | | | | BID DATE | INVITATION NUMBER |
| | MILLION(S) | THOUSAND(S) | HUNDRED(S) | CENTS | | |
| 20% | 3 | 000 | 000 | 00 | | 6982AF23B000014 |
| | | | | | FOR <i>(Construction, Supplies or Services)</i> | Construction |

OBLIGATION:

We, the Principal and Surety(ies) are firmly bound to the United States of America (hereinafter called the Government) in the above penal sum. For payment of the penal sum, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally. However, where the Sureties are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" as well as "severally" only for the purpose of allowing a joint action or actions against any or all of us. For all other purposes, each Surety binds itself, jointly and severally with the Principal, for the payment of the sum shown opposite the name of the Surety. If no limit of liability is indicated, the limit of liability is the full amount of the penal sum.

CONDITIONS:

The Principal has submitted the bid identified above.

THEREFORE:

The above obligation is void if the Principal - (a) upon acceptance by the Government of the bid identified above, within the period specified therein for acceptance (sixty (60) days if no period is specified), executes the further contractual documents and gives the bond(s) required by the terms of the bid as accepted within the time specified (ten (10) days if no period is specified) after receipt of the forms by the principal; or (b) in the event of failure to execute such further contractual documents and give such bonds, pays the Government for any cost of procuring the work which exceeds the amount of the bid.

Each Surety executing this instrument agrees that its obligation is not impaired by any extension(s) of the time for acceptance of the bid that the Principal may grant to the Government. Notice to the surety(ies) of extension(s) is waived. However, waiver of the notice applies only to extensions aggregating not more than sixty (60) calendar days in addition to the period originally allowed for acceptance of the bid.

WITNESS:

The Principal and Surety(ies) executed this bid bond and affixed their seals on the above date.

PRINCIPAL

| | | | | |
|--------------------------------------|---------------------------|---------------------------|---------------------------|----------------|
| SIGNATURE(S) | 1. _____ <i>(Seal)</i> | 2. _____ <i>(Seal)</i> | 3. _____ <i>(Seal)</i> | Corporate Seal |
| NAME(S) & TITLE(S) <i>(Typed)</i> | 1. _____ | 2. _____ | 3. _____ | |

INDIVIDUALSURETY(IES)

| | | |
|---------------------------|---------------------------|---------------------------|
| SIGNATURE(S) | 1. _____ <i>(Seal)</i> | 2. _____ <i>(Seal)</i> |
| NAME(S) <i>(Typed)</i> | 1. _____ | 2. _____ |

CORPORATE SURETY(IES)

| | | | | | |
|-----------------|--------------------------------------|----------|------------------------|----------------------|----------------|
| SURETY A | NAME & ADDRESS | | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. _____ | 2. _____ | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. _____ | 2. _____ | | |

| | | | | | |
|-----------------|--------------------------------------|-----|------------------------|----------------------|----------------|
| SURETY B | NAME & ADDRESS | B-2 | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. | 2. | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. | 2. | | |
| SURETY C | NAME & ADDRESS | | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. | 2. | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. | 2. | | |
| SURETY D | NAME & ADDRESS | | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. | 2. | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. | 2. | | |
| SURETY E | NAME & ADDRESS | | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. | 2. | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. | 2. | | |
| SURETY F | NAME & ADDRESS | | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. | 2. | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. | 2. | | |
| SURETY G | NAME & ADDRESS | | STATE OF INCORPORATION | LIABILITY LIMIT (\$) | Corporate Seal |
| | SIGNATURE(S) | 1. | 2. | | |
| | NAME(S) & TITLE(S) <i>(Typed)</i> | 1. | 2. | | |

INSTRUCTIONS

1. This form is authorized for use when a bid guaranty is required. Any deviation from this form will require the written approval of the Administrator of General Services.
2. Insert the full legal name and business address of the Principal in the space designated "Principal" on the face of the form. An authorized person shall sign the bond. Any person signing in a representative capacity (e.g., an attorney-in-fact) must furnish evidence of authority if that representative is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved.
3. The bond may express penal sum as a percentage of the bid price. In these cases, the bond may state a maximum dollar limitation (e.g., 20% of the bid price but the amount not to exceed _____dollars).
4. (a) Corporations executing the bond as sureties must appear on the Department of the Treasury's list of approved sureties and must act within the limitations listed therein. The value put into the LIABILITY LIMIT block is the penal sum (i.e., the face value) of the bond, unless a co-surety arrangement is proposed.

 (b) When multiple corporate sureties are involved, their names and addresses shall appear in the spaces (Surety A, Surety B, etc.) headed "CORPORATE SURETY(IES)." In the space designated "SURETY(IES)" on the face of the form, insert only the letter identifier corresponding to each of the sureties. Moreover, when co-surety arrangements exist, the parties may allocate their respective limitations of liability under the bond, provided that the sum total of their liability equals 100% of the bond penal sum.

 (c) When individual sureties are involved, a completed Affidavit of Individual Surety (Standard Form 28) for each individual surety, shall accompany the bond. The Government may require the surety to furnish additional substantiating information concerning its financial capability.
5. Corporations executing the bond shall affix their corporate seals. Individuals shall execute the bond opposite the word "Corporate Seal"; and shall affix an adhesive seal if executed in Maine, New Hampshire, or any other jurisdiction requiring adhesive seals.
6. Type the name and title of each person signing this bond in the space provided.
7. In its application to negotiated contracts, the terms "bid" and "bidder" shall include "proposal" and "offeror."



FEDERAL HIGHWAY ADMINISTRATION
CENTRAL FEDERAL LANDS HIGHWAY DIVISION

BIDDER'S INFORMATION

INSTRUCTIONS: Answer all questions on this form inserting "none" or "not applicable" where appropriate. If more space is required attach additional sheets. Return the signed, dated and completed form with the bid to the address shown in the invitation for bids on or before the time set for bid opening. The prospective bidder shall provide any additional information requested by the Government during evaluation of the bids.

If the prospective bidder is a joint venture or general partnership, a separate Bidder's Qualifications form shall be provided individually for each joint venture participant or partner.

1. Name and address of business:

| | | | | |
|---|-------|----------|---|--|
| _____ | | | _____ | |
| Name | | | Unique Entity ID (See FAR Provision 52.204-6) * | |
| _____ | | | _____ | |
| Street | | | Employer ID Number (EIN)* | |
| _____ | | | _____ | |
| City | State | Zip Code | | |
| * Necessary for Government reporting purposes only. | | | | |
| _____ | | | _____ | |
| County | | | | |
| _____ | | | _____ | |
| Telephone Number (Include Area Code) | | | | |
| _____ | | | _____ | |
| Fax Number (Include Area Code) | | | E-mail address | |

2. a. Type of organization (check appropriate box):

| | | |
|--------------------------------------|--|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Non-profit organization | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Incorporated in: _____ |

If a Foreign entity:

| | | |
|--------------------------------------|--|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Non-profit organization | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Registered in: _____ |

b. Size and type of Business Concern (check appropriate boxes):

| | | |
|--|---|--|
| <input type="checkbox"/> Large Business Concern | <input type="checkbox"/> Small Disadvantaged Business Concern | <input type="checkbox"/> Emerging Small Business |
| <input type="checkbox"/> Small Business Concern | <input type="checkbox"/> Women-Owned Small Business | <input type="checkbox"/> SBA 8(a) Certified |
| <input type="checkbox"/> HUB Zone Business Concern | <input type="checkbox"/> Veteran Owned Business Concern | <input type="checkbox"/> Service-Disabled Veteran-Owned Business Concern |

3. If a joint venture or general partnership:

- a. Provide the name under which the project will be bid, the home office address, and name of the principal who will represent the company with regard to this project if different from "1." above.

Principal _____

 Business Name _____

 Street _____

 City State Zip Code _____

- b. Provide the name and home office addresses of each of the joint venture partners; indicate which partner is the sponsoring partner. Attach a separate sheet for additional partners.

| | | | | | |
|--------------------------|-------|----------|---------------------|-------|----------|
| Sponsoring Partner _____ | | | Other Partner _____ | | |
| Street _____ | | | Street _____ | | |
| City | State | Zip Code | City | State | Zip Code |

4. Date organization established: _____

5. Name of succeeded business, if any: _____

6. How many years have you been in business as:

- a. General contractor ___ years.
 b. Subcontractor ___ years.

7. a. Furnish the following information concerning the owner, partners, officers and directors:

| Name | Title | Percent of Business Owned | Years of Business Experience | |
|------|-------|---------------------------|------------------------------|-------|
| | | | Contracting | Other |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

- b. Attach resumes of these key personnel as well as the on-site project manager(s) and superintendent(s), and specifically identify the following:
- Present position, responsibility, and length of employment.
 - Amount and type of construction experience.
 - Amount and type of highway construction experience, including position, responsibility, and a brief project description of each period of employment.
 - Formal education and training, professional or technical registrations or licenses.

9. a. List up to five of the largest jobs you have completed in the last five years which are similar in project work scope to this project. (Attach additional sheets if necessary)

| Project Name and Contract Numbers | Owner's Name, Address, Contact Name, Email and Telephone # | Scope of Work Performed | Original and Final Contract Amounts | Original and Final Completion Dates | Names of On-site Project Manager and Superintendent | Name of Surety |
|-----------------------------------|--|-------------------------|-------------------------------------|-------------------------------------|---|----------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

b. Are there any unresolved claims or lawsuits associated with these projects? If so, state the amount in dispute, parties involved, nature and circumstances of the dispute, and status of the matter on a separate sheet

Solicitation Provisions

52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. (SEP 2007)

52.203-18 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements-Representation. (JAN 2017)

52.204-7 System for Award Management. (OCT 2018)

52.204-8 Annual Representations and Certifications. (DEC 2022)

52.204-16 Commercial and Government Entity Code Reporting (AUG 2020)

52.204-17 Ownership or Control of Offeror (AUG 2020)

52.204-20 Predecessor or Offeror (AUG 2020)

52.204-22 Alternative Line Item Proposal (JAN 2017)

52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021)

52.204-26 Covered Telecommunications Equipment or Services-Representation. (OCT 2020)

52.209-5 Certification Regarding Responsibility Matters. (AUG 2020)

52.209-7 Information Regarding Responsibility Matters (OCT 2018)

52.209-11 Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law (FEB 2016)

52.209-13 Violation of Arms Control Treaties or Agreements – Certification (NOV 2021)

52.214-3 Amendments to Invitations for Bids. (DEC 2016)

52.214-4 False Statements in Bids. (APR 1984)

52.214-5 Submission of Bids. (DEC 2016)

52.214-6 Explanation to Prospective Bidders. (APR 1984)

52.214-7 Late Submissions, Modifications, and Withdrawals of Bids. (NOV 1999)

52.214-18 Preparation of Bids - Construction. (APR 1984)

52.214-19 Contract Award - Sealed Bidding - Construction. (AUG 1996)

52.214-31 Facsimile Bids (DEC 1989)

52.214-34 Submission of Offers in the English Language. (APR 1991)

52.214-35 Submission of Offers in U.S. Currency. (APR 1991)

52.215-5 Facsimile Proposals. (OCT 1997)

52.216-1 Type of Contract. (APR 1984)

The Government contemplates award of a **FIRM FIXED PRICE** contract resulting from this solicitation.

(End of provision)

52.222-5 Construction Wage Rate Requirements Secondary Site of the Work. (MAY 2014)

52.222-23 Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity for Construction. (FEB 1999)

(a) The offeror's attention is called to the Equal Opportunity clause and the Affirmative Action Compliance Requirements for Construction clause of this solicitation.

(b) The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

| Goals for Minority Participation for Each Trade | Goals for Female Participation for Each Trade |
|--|--|
| 28.9% - Monterey County, California | 6.9% |

These goals are applicable to all the Contractor's construction work performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, the Contractor shall apply the goals established for the geographical area where the work is actually performed. Goals are published periodically in the *Federal Register* in notice form, and these notices may be obtained from any Office of Federal Contract Compliance Programs office.

(c) The Contractor's compliance with Executive Order 11246, as amended, and the regulations in 41 CFR 60-4 shall be based on (1) its implementation of the Equal Opportunity clause, (2) specific affirmative action obligations required by the clause entitled Affirmative Action Compliance Requirements for Construction, and (3) its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade.

The Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor, or from project to project, for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, Executive Order 11246, as amended, and the regulations in 41 CFR 60-4. Compliance with the goals will be measured against the total work hours performed.

(d) The Contractor shall provide written notification to the Deputy Assistant Secretary for Federal Contract Compliance, U.S. Department of Labor, within 10 working days following award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the -

(1) Name, address, and telephone number of the subcontractor; (2)

Employer's identification number of the subcontractor;

(3) Estimated dollar amount of the subcontract;

(4) Estimated starting and completion dates of the subcontract; and

(5) Geographical area in which the subcontract is to be performed.

(e) As used in this Notice, and in any contract resulting from this solicitation, the covered area is Monterey County, State.

(End of provision)

52.222-38 Compliance with Veterans' Employment Reporting Requirements. (FEB 2016)

52.223-22 Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation (DEC 2016)

52.225-12 Notice of Buy American Act Requirement—Construction Materials Under Trade Agreements. (MAY 2014) Alternate II (JUNE 2009)

52.225-20 Prohibition on Conducting Restricted Business Operations in Sudan--Certification. (AUG 2009)

52.228-1 Bid Guarantee. (SEP 1996)

(a) Failure to furnish a bid guarantee in the proper form and amount, by the time set for opening of bids, may be cause for rejection of the bid.

(b) The bidder shall furnish a bid guarantee in the form of a firm commitment, *e.g.*, bid bond supported by good and sufficient surety or sureties acceptable to the

Government, postal money order, certified check, cashier's check, irrevocable letter of credit, or, under Treasury Department regulations, certain bonds or notes of the United States. The Contracting Officer will return bid guarantees, other than bid bonds -

(1) To unsuccessful bidders as soon as practicable after the opening of bids;
and

(2) To the successful bidder upon execution of contractual documents and bonds (including any necessary coinsurance or reinsurance agreements), as required by the bid as accepted.

(c) The amount of the bid guarantee shall be twenty (20%) percent of the bid price or \$3,000,000.00, whichever is less.

(d) If the successful bidder, upon acceptance of its bid by the Government within the period specified for acceptance, fails to execute all contractual documents or furnish executed bond(s) within 10 days after receipt of the forms by the bidder, the Contracting Officer may terminate the contract for default.

(e) In the event the contract is terminated for default, the bidder is liable for any cost of acquiring the work that exceeds the amount of its bid, and the bid guarantee is available to offset the difference.

52.233-2 Service of Protest. (SEP 2006)

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the Government Accountability Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

*Mr. Joseph Wilson
Contracting Officer
Federal Highway Administration
12300 West Dakota Avenue, Suite 360
Lakewood, Colorado 80228*

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of provision)

52.236-27 Site Visit (Construction). (FEB 1995)

(a) The clauses at 52.236-2, Differing Site Conditions, and 52.236-3, Site Investigations and Conditions Affecting the Work, will be included in any contract

awarded as a result of this solicitation. Accordingly, offerors or quoters are urged and expected to inspect the site where the work will be performed.

(b) Site visits may be arranged during normal duty hours by contacting: **Email CFLContracts@dot.gov for the gate code for access.**

(End of provision)

52.252-1 Solicitation Provisions Incorporated by Reference. (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es): <http://www.acquisition.gov/far>

(End of provision)

52.252-3 Alterations in Solicitation. (APR 1984)

Portions of this solicitation are altered as follows: **NONE**

(End of provision)

1252.239–92 Information and Communication Technology Accessibility Notice (NOV 2022)

Contract Clauses

52.202-1 Definitions. (JUN 2020)

52.203-3 Gratuities. (APR 1984)

52.203-5 Covenant Against Contingent Fees. (MAY 2014)

52.203-6, Restrictions on Subcontractor Sales to the Government (JUN 2020)

52.203-7 Anti-Kickback Procedures. (JUN 2020)

52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity. (MAY 2014)

52.203-10 Price or Fee Adjustment for Illegal or Improper Activity. (MAY 2014)

52.203-12 Limitation on Payments to Influence Certain Federal Transactions. (JUN 2020)

52.203-13 Contractor Code of Business Ethics and Conduct (NOV 2021)

52.203-14 Display of Hotline Poster(s) (NOV 2021)

(a) *Definition.*

United States, as used in this clause, means the 50 States, the District of Columbia, and outlying areas.

(b) *Display of fraud hotline poster(s).* Except as provided in paragraph (c)—

(1) During contract performance in the United States, the Contractor shall prominently display in common work areas within business segments performing work under this contract and at contract work sites-

(i) Any agency fraud hotline poster or Department of Homeland Security (DHS) fraud hotline poster identified in paragraph (b)(3) of this clause; and

(ii) Any DHS fraud hotline poster subsequently identified by the Contracting Officer.

(2) Additionally, if the Contractor maintains a company website as a method of providing information to employees, the Contractor shall display an electronic version of the poster(s) at the website.

(3) Any required posters may be obtained as follows:

| | |
|---------------|---|
| General Fraud | https://www.oig.dot.gov/sites/default/files/files/OIG-generic-2.pdf |
|---------------|---|

(c) If the Contractor has implemented a business ethics and conduct awareness program, including a reporting mechanism, such as a hotline poster, then the Contractor need not display any agency fraud hotline posters as required in paragraph (b) of this clause, other than any required DHS posters.

(d) *Subcontracts*. The Contractor shall include the substance of this clause, including this paragraph (d), in all subcontracts that exceed the threshold specified in Federal Acquisition Regulation [3.1004](#)(b)(1) on the date of subcontract award, except when the subcontract—

- (1) Is for the acquisition of a commercial product or commercial service; or
- (2) Is performed entirely outside the United States.

(End of clause)

52.203-17 Contractor Employee Whistleblower Rights and Requirements to Inform Employees of Whistleblower Rights (JUN 2020)

52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017)

52.204-1 Approval of Contract (DEC 1989)

This contract is subject to the written approval of the *Acquisitions Branch Chief* and shall not be binding until so approved.

(End of Clause)

52.204-4 Printed or Copied Double-Sided on Postconsumer Fiber Content Paper. (MAY 2011)

52.204-9 Personal Identity Verification of Contractor Personnel. (JAN 2011)

52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards. (JUN 2020)

52.204-13 System for Award Management Maintenance. (OCT 2018)

52.204-14 Service Contract Reporting Requirements (OCT 2016)

52.204-18 Commercial and Government Entity Code Maintenance (AUG 2020)

52.204-19 Incorporation by Reference of Representations and Certifications. (DEC 2014)

52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (NOV 2021)

52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021)

52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (NOV 2021)

52.209-10 Prohibition on Contracting With Inverted Domestic Corporations (NOV 2015)

52.211-10 Commencement, Prosecution, and Completion of Work. (APR 1984) Alternate I (APR 1984)

The Contractor shall be required to (a) commence work under this contract within ten (10) calendar days after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than {Refer to Subsection 108.01 of the SCRs}. The time stated for completion shall include final cleanup of the premises.

The completion date is based on the assumption that the successful offeror will receive the notice to proceed by 5/30/23. The completion date will be extended by the number of calendar days after the above date that the Contractor receives the notice to proceed, except to the extent that the delay in issuance of the notice to proceed results from the failure of the Contractor to execute the contract and give the required performance and payment bonds within the time specified in the offer.

(End of clause)

52.211-12 Liquidated Damages - Construction. (SEP 2000)

(a) If the Contractor fails to complete the work within the time specified in the contract, the Contractor shall pay liquidated damages to the Government in the amount of (see FP-14 section 108) for each calendar day of delay until the work is completed or accepted.

(b) If the Government terminates the Contractor's right to proceed, liquidated damages will continue to accrue until the work is completed. These liquidated damages are in addition to excess costs of repurchase under the Termination clause.

(End of clause)

52.211-13 Time Extensions. (SEP 2000)

52.211-18 Variation in Estimated Quantity. (APR 1984)

- 52.214-26 Audit and Records – Sealed Bidding. (JUN 2020)**
- 52.214-27 Price Reduction for Defective Certified Cost or Pricing Data – Modifications – Sealed Bidding. (JUN 2020)**
- 52.214-28 Subcontractor Certified Cost or Pricing Data – Modifications – Sealed Bidding. (JUN 2020)**
- 52.219-6 Notice of Total Small Business Set-Aside (NOV 2020)**
- 52.219-8 Utilization of Small Business Concerns (OCT 2022)**
- 52.219-14 Limitations on Subcontracting (OCT 2022)**
- 52.219-28 Post-Award Small Business Program Rerepresentation (OCT 2022)**
- 52.222-1 Notice to the Government of Labor Disputes. (FEB 1997)**
- 52.222-3 Convict Labor. (JUN 2003)**
- 52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation. (MAY 2018)**
- 52.222-6 Construction Wage Rate Requirements. (AUG 2018)**
- 52.222-7 Withholding of Funds. (MAY 2014)**
- 52.222-8 Payrolls and Basic Records. (JUL 2021)**
- 52.222-9 Apprentices and Trainees. (JUL 2005)**
- 52.222-10 Compliance with Copeland Act Requirements. (FEB 1988)**
- 52.222-11 Subcontracts (Labor Standards). (MAY 2014)**
- 52.222-12 Contract Termination - Debarment. (MAY 2014)**
- 52.222-13 Compliance with Construction Wage Rate Requirements and Related Regulations. (MAY 2014)**
- 52.222-14 Disputes Concerning Labor Standards. (FEB 1988)**
- 52.222-15 Certification of Eligibility. (MAY 2014)**
- 52.222-21 Prohibition of Segregated Facilities. (APR 2015)**

- 52.222-26 Equal Opportunity. (SEP 2016)**
- 52.222-27 Affirmative Action Compliance Requirements for Construction. (APR 2015)**
- 52.222-35 Equal Opportunity for Veterans. (JUN 2020)**
- 52.222-36 Affirmative Action for Workers with Disabilities. (JUN 2020)**
- 52.222-37 Employment Reports on Veterans (JUN 2020)**
- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act (DEC 2010)**
- 52.222-50 Combating Trafficking in Persons (NOV 2021)**
- 52.222-54 Employment Eligibility Verification (MAY 2022)**
- 52.222-55 Minimum Wages Under Executive Order 13658 (JAN 2022)**
- 52.222-62 Paid Sick Leave Under Executive Order 13706 (JAN 2022)**
- 52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts (SEP 2013)**
- 52.223-3 Hazardous Material Identification and Material Safety Data. (FEB 2021)**
- 52.223-5 Pollution Prevention and Right-to-Know Information. (MAY 2011)**
- 52.223-6 Drug-Free Workplace. (MAY 2001)**
- 52.223-17 Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts (AUG 2018)**
- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving. (JUN 2020)**
- 52.223-21 Foams (JUN 2016)**
- 52.224-1 Privacy Act Notification. (APR 1984)**
- 52.224-2 Privacy Act. (APR 1984)**
- 52.225-11 Buy American Act - Construction Materials under Trade Agreements (DEC 2022) Alternate I (DEC 2022)**

(a) *Definitions.* As used in this clause—

"Bahrainian, Mexican, or Omani construction material" means a construction material that-

(1) Is wholly the growth, product, or manufacture of Bahrain, Mexico, or Oman; or

(2) In the case of a construction material that consists in whole or in part of materials from another country, has been substantially transformed in Bahrain, Mexico, or Oman into a new and different construction material distinct from the materials from which it was transformed.

Caribbean Basin country construction material means a construction material that—

(1) Is wholly the growth, product, or manufacture of a Caribbean Basin country; or

(2) In the case of a construction material that consists in whole or in part of materials from another country, has been substantially transformed in a Caribbean Basin country into a new and different construction material distinct from the materials from which it was transformed.

Commercially available off-the-shelf (COTS) item—

(1) Means any item of supply (including construction material) that is—

(i) A commercial product (as defined in paragraph (1) of the definition of “commercial product” at Federal Acquisition Regulation (FAR) [2.101](#));

(ii) Sold in substantial quantities in the commercial marketplace; and

(iii) Offered to the Government, under a contract or subcontract at any tier, without modification, in the same form in which it is sold in the commercial marketplace; and

(2) Does not include bulk cargo, as defined in [46 U.S.C.40102\(4\)](#), such as agricultural products and petroleum products.

Component means an article, material, or supply incorporated directly into a construction material.

Construction material means an article, material, or supply brought to the construction site by the Contractor or subcontractor for incorporation into the building or work. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site. Materials purchased directly by the Government are supplies, not construction material.

Cost of components means—

(1) For components purchased by the Contractor, the acquisition cost, including transportation costs to the place of incorporation into the construction material (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or

(2) For components manufactured by the Contractor, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (1) of this definition, plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the construction material.

Critical component means a component that is mined, produced, or manufactured in the United States and deemed critical to the U.S. supply chain. The list of critical components is at FAR [25.105](#).

Critical item means a domestic construction material or domestic end product that is deemed critical to U.S. supply chain resiliency. The list of critical items is at FAR [25.105](#).

Designated country means any of the following countries:

(1) A World Trade Organization Government Procurement Agreement (WTO GPA) country (Armenia, Aruba, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hong Kong, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea (Republic of), Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Taiwan, Ukraine, or United Kingdom);

(2) A Free Trade Agreement (FTA) country (Australia, Bahrain, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Korea (Republic of), Mexico, Morocco, Nicaragua, Oman, Panama, Peru, or Singapore);

(3) A least developed country (Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Democratic Republic of Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Laos, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Nepal, Niger, Rwanda, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, South Sudan, Tanzania, Timor-Leste, Togo, Tuvalu, Uganda, Vanuatu, Yemen, or Zambia); or

(4) A Caribbean Basin country (Antigua and Barbuda, Aruba, Bahamas, Barbados, Belize, Bonaire, British Virgin Islands, Curacao, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saba, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Sint Eustatius, Sint Maarten, or Trinidad and Tobago).

"Designated country construction material" means a construction material that is a WTO GPA country construction material, an FTA country construction material, a least developed country construction material, or a Caribbean Basin country construction material.

Domestic construction material means—

(1) For construction material that does not consist wholly or predominantly of iron or steel or a combination of both-

(i) An unmanufactured construction material mined or produced in the United States; or

(ii) A construction material manufactured in the United States, if—

(A) The cost of its components mined, produced, or manufactured in the United States exceeds 60 percent of the cost of all its components, except that the percentage will be 65 percent for items delivered in calendar years 2024 through 2028 and 75 percent for items delivered starting in calendar year 2029.

(B) The construction material is a COTS item; or

(2) For construction material that consists wholly or predominantly of iron or steel or a combination of both, a construction material manufactured in the United States if the cost of foreign iron and steel constitutes less than 5 percent of the cost of all components used in such construction material. The cost of foreign iron and steel includes but is not limited to the cost of foreign iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the construction material and a good faith estimate of the cost of all foreign iron or steel components excluding COTS fasteners. Iron or steel components of unknown origin are treated as foreign. If the construction material contains multiple components, the cost of all the materials used in such construction material is calculated in accordance with the definition of "cost of components".

Fastener means a hardware device that mechanically joins or affixes two or more objects together. Examples of fasteners are nuts, bolts, pins, rivets, nails, clips, and screws.

Foreign construction material means a construction material other than a domestic construction material.

Foreign iron and steel means iron or steel products not produced in the United States. Produced in the United States means that all manufacturing processes of the iron or steel must take place in the United States, from the initial melting stage through the application of coatings, except metallurgical processes involving refinement of steel additives. The origin of the elements of the iron or steel is not relevant to the determination of whether it is domestic or foreign.

Free Trade Agreement country construction material means a construction material that-

(1) Is wholly the growth, product, or manufacture of a Free Trade Agreement (FTA) country; or

(2) In the case of a construction material that consists in whole or in part of materials from another country, has been substantially transformed in a FTA country into a new and different construction material distinct from the materials from which it was transformed.

Least developed country construction material means a construction material that-

(1) Is wholly the growth, product, or manufacture of a least developed country; or

(2) In the case of a construction material that consists in whole or in part of materials from another country, has been substantially transformed in a least developed country into a new and different construction material distinct from the materials from which it was transformed.

Predominantly of iron or steel or a combination of both means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components excluding COTS fasteners.

Steel means an alloy that includes at least 50 percent iron, between 0.02 and 2 percent carbon, and may include other elements.

United States means the 50 States, the District of Columbia, and outlying areas.

WTO GPA country construction material means a construction material that-

(1) Is wholly the growth, product, or manufacture of a WTO GPA country; or

(2) In the case of a construction material that consists in whole or in part of materials from another country, has been substantially transformed in a WTO GPA country into a new and different construction material distinct from the materials from which it was transformed.

(b) Construction materials.

(1) This clause implements [41 U.S.C. chapter 83](#), Buy American, by providing a preference for domestic construction material. In accordance with [41 U.S.C.1907](#), the domestic content test of the Buy American statute is waived for construction material that is a COTS item, except that for construction material that consists wholly or predominantly of iron or steel or a combination of both, the domestic content test is applied only to the iron and steel content of the construction material, excluding COTS fasteners. (See FAR [12.505](#)(a)(2)). In addition, the Contracting Officer has determined that the WTO GPA and Free Trade Agreements (FTAs) apply to this acquisition. Therefore, the Buy American restrictions are waived for designated country construction materials.

(2) The Contractor shall use only domestic or designated country construction material in performing this contract, except as provided in paragraphs (b)(3) and (b)(4) of this clause.

(b) Construction materials. (1) This clause implements [41 U.S.C. chapter 83](#), Buy American, by providing a preference for domestic construction material. In accordance with [41 U.S.C. 1907](#), the domestic content test of the Buy American statute is waived for construction material that is a COTS item, except that for construction material that consists wholly or predominantly of iron or steel or a combination of both, the domestic content test is applied only to the iron and steel content of the construction material, excluding COTS fasteners. (See FAR [12.505\(a\)\(2\)](#)). In addition, the Contracting Officer has determined that the WTO GPA and all the Free Trade Agreements except the Bahrain FTA, United States-Mexico-Canada Agreement, and the Oman FTA apply to this acquisition. Therefore, the Buy American statute restrictions are waived for designated country construction materials other than Bahrainian, Mexican, or Omani construction materials.

(2) The Contractor shall use only domestic or designated country construction material other than Bahrainian, Mexican, or Omani construction material in performing this contract, except as provided in paragraphs (b)(3) and (b)(4) of this clause.

(3) The requirement in paragraph (b)(2) of this clause does not apply to information technology that is a commercial product or to the construction materials or components listed by the Government as follows:

None

(4) The Contracting Officer may add other foreign construction material to the list in paragraph (b)(3) of this clause if the Government determines that-

(i)The cost of domestic construction material would be unreasonable.

(A) *For domestic construction material that is not a critical item or does not contain critical components.*

(1)The cost of a particular domestic construction material subject to the restrictions of the Buy American statute is unreasonable when the cost of such material exceeds the cost of foreign material by more than 20 percent;

(2)For construction material that is not a COTS item and does not consist wholly or predominantly of iron or steel or a combination of both, if the cost of a particular domestic construction material is determined to be unreasonable or there is no domestic offer received, and the low offer is for foreign construction material that does not exceed 55 percent domestic content, the Contracting Officer will treat the lowest offer of foreign construction material that is manufactured in the United States and exceeds 55 percent domestic content as a domestic offer and determine whether the cost of that offer is unreasonable by applying the evaluation factor listed in paragraph (b)(4)(i)(A)(1) of this clause.

(3)The procedures in paragraph (b)(4)(i)(A)(2) of this clause will no longer apply as of January 1, 2030.

(B) For domestic construction material that is a critical item or contains critical components.

(1)The cost of a particular domestic construction material that is a critical item or contains critical components, subject to the requirements of the Buy American statute, is unreasonable when the cost of such material exceeds the cost of foreign material by more than 20 percent plus the additional preference factor identified for the critical item or construction material containing critical components listed at FAR [25.105](#).

(2)For construction material that does not consist wholly or predominantly of iron or steel or a combination of both, if the cost of a particular domestic construction material is determined to be unreasonable or there is no domestic offer received, and the low offer is for foreign construction material that does not exceed 55 percent domestic content, the Contracting Officer will treat the lowest offer of foreign construction material that is manufactured in the United States and exceeds 55 percent domestic content as a domestic offer, and determine whether the cost of that offer is unreasonable by applying the evaluation factor listed in paragraph (b)(4)(i)(B)(1) of this clause.

(3)The procedures in paragraph (b)(4)(i)(B)(2) of this clause will no longer apply as of January 1, 2030.

(ii) The application of the restriction of the Buy American Act to a particular construction material would be impracticable or inconsistent with the public interest; or

(iii) The construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality.

(c) Request for determination of inapplicability of the Buy American statute.

(1)

(i) Any Contractor request to use foreign construction material in accordance with paragraph (b)(4) of this clause shall include adequate information for Government evaluation of the request, including-

(A) A description of the foreign and domestic construction materials;

(B) Unit of measure;

(C) Quantity;

(D) Price;

(E) Time of delivery or availability;

(F) Location of the construction project;

(G) Name and address of the proposed supplier; and

(H) A detailed justification of the reason for use of foreign construction materials cited in accordance with paragraph (b)(3) of this clause.

(ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed price comparison table in the format in paragraph (d) of this clause.

(iii) The price of construction material shall include all delivery costs to the construction site and any applicable duty (whether or not a duty-free certificate may be issued).

(iv) Any Contractor request for a determination submitted after contract award shall explain why the Contractor could not reasonably foresee the need for such determination and could not have requested the determination before contract award. If the Contractor does not submit a satisfactory explanation, the Contracting Officer need not make a determination.

(2) If the Government determines after contract award that an exception to the Buy American statute applies and the Contracting Officer and the Contractor negotiate adequate consideration, the Contracting Officer will modify the contract to allow use of the foreign construction material. However, when the basis for the exception is the unreasonable price of a domestic construction material, adequate consideration is not less than the differential established in paragraph (b)(4)(i) of this clause.

(3) Unless the Government determines that an exception to the Buy American statute applies, use of foreign construction material is noncompliant with the Buy American statute.

(d) *Data*. To permit evaluation of requests under paragraph (c) of this clause based on unreasonable cost, the Contractor shall include the following information and any applicable supporting data based on the survey of suppliers:

Foreign and Domestic Construction Materials Price Comparison

| <u>Construction Material Description</u> | <u>Unit of Measure</u> | <u>Quantity</u> | <u>Cost (Dollars)*</u> |
|--|------------------------|-----------------|------------------------|
|--|------------------------|-----------------|------------------------|

Item 1:

| | | | |
|-------------------------------|-------|-------|-------|
| Foreign construction material | _____ | _____ | _____ |
|-------------------------------|-------|-------|-------|

| | | | |
|--------------------------------|-------|-------|-------|
| Domestic construction material | _____ | _____ | _____ |
|--------------------------------|-------|-------|-------|

Item 2:

Foreign construction material _____

Domestic construction material _____

[List name, address, telephone number, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.]

[Include other applicable supporting information.]

[Include all delivery costs to the construction site and any applicable duty (whether or not a duty-free entry certificate is issued).]*

(End of Clause)

52.227-1 Authorization and Consent. (JUN 2020)

52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement. (JUN 2020)

52.227-4 Patent Indemnity--Construction Contracts. (DEC 2007)

52.228-2 Additional Bond Security. (OCT 1997)

52.228-5 Insurance - Work on a Government Installation. (JAN 1997)

52.228-11 Individual Surety - Pledges of Assets. (FEB 2021)

52.228-12 Prospective Subcontractor Requests for Bonds. (DEC 2022)

52.228-14 Irrevocable Letter of Credit (Nov 2014)

52.228-15 Performance and Payment Bonds - Construction. (JUN 2020)

52.229-3 Federal, State, and Local Taxes. (FEB 2013)

52.232-5 Payments under Fixed-Price Construction Contracts. (MAY 2014)

52.232-17 Interest. (MAY 2014)

52.232-23 Assignment of Claims. (MAY 2014)

52.232-27 Prompt Payment For Construction Contracts. (JAN 2017)

52.232-33 Payment by Electronic Funds Transfer – System for Award Management (OCT 2018)

52.232-39 Unenforceability of Unauthorized Obligations (JUN 2013)

52.232-40 Providing Accelerated Payments to Small Business Subcontractors (NOV 2021)

52.233-1 Disputes. (MAY 2014) - Alternate I (DEC 1991)

52.233-3 Protest after Award. (AUG 1996)

52.233-4 Applicable Law for Breach of Contract Claim. (OCT 2004)

52.236-2 Differing Site Conditions. (APR 1984)

52.236-3 Site Investigation and Conditions Affecting the Work. (APR 1984)

52.236-4 Physical Data. (APR 1984)

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

(a) The indications of physical conditions on the drawings and in the specifications are the result of site investigations by:

- 1) Nacimiento-Fergusson Road CA ERFO 22S01(1) Final Hydraulics Report**
- 2) Geotechnical Field Reconnaissance and Recommendations, Nacimiento-Ferguson Road (Forest Road 22S01)**

(b) Weather conditions **Contact National Weather Service**.

(c) Transportation facilities – N/A

(End of clause)

52.236-5 Material and Workmanship. (APR 1984)

52.236-6 Superintendence by the Contractor. (APR 1984)

52.236-7 Permits and Responsibilities. (NOV 1991)

52.236-8 Other Contracts. (APR 1984)

52.236-9 Protection of Existing Vegetation, Structures, Equipment, Utilities, and Improvements. (APR 1984)

52.236-10 Operations and Storage Areas. (APR 1984)

- 52.236-11 Use and Possession Prior to Completion. (APR 1984)**
- 52.236-12 Cleaning Up. (APR 1984)**
- 52.236-13 Accident Prevention. (NOV 1991)**
- 52.236-15 Schedules for Construction Contracts. (APR 1984)**
- 52.236-17 Layout of Work. (APR 1984)**
- 52.236-21 Specifications and Drawings for Construction. (FEB 1997)**
- 52.236-26 Preconstruction Conference. (FEB 1995)**
- 52.242-13 Bankruptcy. (JUL 1995)**
- 52.242-14 Suspension of Work. (APR 1984)**
- 52.243-4 Changes. (JUN 2007)**
- 52.243-6 Change Order Accounting. (APR 1984)**
- 52.244-6 Subcontracts for Commercial Products and Commercial Services. (DEC 2022)**
- 52.245-1 Government Property (SEP 2021) - Alternate I (APR 2012)**
- 52.245-9 Use and Charges. (APR 2012)**
- 52.246-12 Inspection of Construction. (AUG 1996)**
- 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2021)**
- 52.248-3 Value Engineering - Construction. (OCT 2020)**
- 52.249-2 Termination for Convenience of the Government (Fixed-Price). (APR 2012) - Alternate I (SEP 1996)**
- 52.249-10 Default (Fixed-Price Construction). (APR 1984)**
- 52.252-2 Clauses Incorporated by Reference. (FEB 1998)**

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es): <http://www.acquisition.gov/far>

(End of clause)

52.252-4 Alterations in Contract. (APR 1984)

Portions of this contract are altered as follows: **NONE**

(End of clause)

52.253-1 Computer Generated Forms. (JAN 1991)

1252.201-70 Contracting Officer's Representative (NOV 2022)

1252.222-72 Contractor Cooperation in Equal Employment Opportunity and Anti-Harassment Investigations (NOV 2022)

1252.223-70 Removal or Disposal of Hazardous Substances – Applicable Licenses and Permits (NOV 2022)

1252.223-71 Accident and Fire Reporting (NOV 2022)

1252.223-73 Seat Belt Use Policies and Programs (NOV 2022)

1252.228-74 Notification of Payment Bond Protection (NOV 2022)

(a) The prime contract is subject to the Bonds statute (historically referred to as the Miller Act) (40 U.S.C. chapter 31, subchapter III), under which the prime contractor has obtained a payment bond. This payment bond may provide certain unpaid employees, suppliers, and subcontractors a right to sue the bonding surety under the Bonds statute for amounts owned for work performed and materials delivery under the prime contract.

(b) Persons believing that they have legal remedies under the Bonds statute should consult their legal advisor regarding the proper steps to take to obtain these remedies. This notice clause does not provide any party any rights against the Federal Government, or create any relationship, contractual or otherwise, between the Federal Government and any private party.

(c) The surety which has provided the payment bond under the prime contract is: On File with the FHWA.

(d) Subcontract flowdown requirements. This clause shall be flowed down to all subcontractors. Prime contractors shall insert this notice clause in all first-tier subcontracts and shall require the clause to be subsequently flowed down by all first-tier subcontractors to all their subcontractors, at any tier. This notice contains information pertaining to the surety that provided the payment bond under the prime contract and is required to be inserted in its entirety to include the information set forth in paragraph (c).

(End of clause)

1252.232–70 Electronic Submission of Payment Requests (NOV 2022)

1252.239–93 Information and Communication Technology Accessibility (NOV 2022)

POST-AWARD EVALUATION OF CONTRACTOR PERFORMANCE

Contractor Performance Evaluations

- a. Interim and final evaluations of contractor performance will be prepared on this contract in accordance with FAR 42.1502 and TAM 1242.1502. The final performance evaluations will be prepared at the time of completion of work.
- b. The Contractor can elect to review the evaluation and submit additional information or provide a rebuttal statement. The contractor will be permitted 60 calendar days to respond from the date of receipt of the evaluation. Contractor response is voluntary. If the contractor does not respond within 60 days, the Government will presume that the Contractor has no comment. Any disagreement between the parties regarding an evaluation will be referred to an individual at a level above the Contracting Officer, whose decision is final.
- c. Copies of the evaluations, Contractor responses, and review comments, if any, will be retained as part of the contract file, and may be used to support future award decisions.

The Federal Highway Administration utilizes the Contractor Performance Assessment Reporting System (CPARS) to record and maintain past performance information. CPARS hosts a suite of web-enabled applications that are used to document contractor performance information that is required by Federal Regulations. The CPARS module assesses performance on contracts for Systems, Services, Information Technology, and Operations Support; Architect-Engineer contracts; and Construction contracts. Reference material can be accessed in CPARS.

The registration process requires the Contractor to identify an individual that will serve as a primary contact. This individual will be authorized access to the evaluation for review and comment. In addition, the Contractor is encouraged to identify a secondary contact in the event the primary contact is unavailable to process the evaluation within the required 60 day time period. After the FHWA Focal Point registers the contract in CPARS, the contractor representative will receive a system generated email notifying him/her that the contract is registered. A system generated email will also provide the Contractor with a User ID if the person does not already have a CPARS User ID.

After a performance evaluation has been prepared and is ready for comment, the Contractor representative will receive a system generated email notification that the performance evaluation is electronically available for review and comment. The Contractor representative will receive an automated email whenever an assessment is

completed and can subsequently retrieve the completed assessment from CPARS.
Contractors may access evaluations in CPARS for review and comment.

(End of Clause)

"General Decision Number: CA20230018 03/10/2023

Superseded General Decision Number: CA20220018

State: California

Construction Types: Building, Heavy (Heavy and Dredging) and Highway

Counties: Alameda, Calaveras, Contra Costa, Fresno, Kings, Madera, Mariposa, Merced, Monterey, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Stanislaus and Tuolumne Counties in California.

BUILDING CONSTRUCTION PROJECTS; DREDGING PROJECTS (does not include hopper dredge work); HEAVY CONSTRUCTION PROJECTS (does not include water well drilling); HIGHWAY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

| | |
|---|---|
| If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022: | <ul style="list-style-type: none">. Executive Order 14026 generally applies to the contract.. The contractor must pay all covered workers at least \$16.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2023. |
| If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022: | <ul style="list-style-type: none">. Executive Order 13658 generally applies to the contract.. The contractor must pay all covered workers at least \$12.15 per hour (or the applicable wage rate listed |

| | |
|--|---|
| | on this wage determination, if it is higher) for all hours spent performing on that contract in 2023. |
|--|---|

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

| Modification Number | Publication Date |
|---------------------|------------------|
| 0 | 01/06/2023 |
| 1 | 01/13/2023 |
| 2 | 01/20/2023 |
| 3 | 02/10/2023 |
| 4 | 02/24/2023 |
| 5 | 03/03/2023 |
| 6 | 03/10/2023 |

ASBE0016-004 01/01/2021

AREA 1: CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, STANISLAUS & TOULMNE COUNTIES

AREA 2: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO & SANTA CLARA COUNTIES

| | Rates | Fringes |
|---|----------|---------|
| Asbestos Removal worker/hazardous material handler (Includes preparation, wetting, stripping, removal, scrapping, vacuuming, bagging and disposing of all insulation materials from mechanical systems, whether they contain asbestos or not) | | |
| Area 1..... | \$ 30.45 | 10.60 |

Area 2.....\$ 36.53 9.27

ASBE0016-008 08/01/2022

AREA 1: ALAMEDA, CONTRA COSTA, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLARA, & SANTA CRUZ

AREA 2: CALAVERAS, COLUSA, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAU, & TUOLUMNE

Rates Fringes

Asbestos Workers/Insulator
(Includes the application of all insulating materials, Protective Coverings, Coatings, and Finishes to all types of mechanical systems)

Area 1.....\$ 81.16 23.57
Area 2.....\$ 62.51 23.57

BOIL0549-001 01/01/2021

AREA 1: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO & SANTA CLARA COUNTIES

AREA 2: REMAINING COUNTIES

Rates Fringes

BOILERMAKER

Area 1.....\$ 49.62 41.27
Area 2.....\$ 45.60 38.99

BRCA0003-001 08/01/2022

Rates Fringes

MARBLE FINISHER.....\$ 39.20 18.31

BRCA0003-003 08/01/2022

Rates Fringes

MARBLE MASON.....\$ 56.98 28.54

BRCA0003-005 05/01/2022

| | Rates | Fringes |
|--|----------|---------|
| BRICKLAYER | | |
| (1) Fresno, Kings, Madera, Mariposa, Merced.... | \$ 47.88 | 23.29 |
| (7) San Francisco, San Mateo..... | \$ 53.69 | 26.03 |
| (8) Alameda, Contra Costa, San Benito, Santa Clara..... | \$ 53.61 | 23.81 |
| (9) Calaveras, San Joaquin, Stanislaus, Toulumne..... | \$ 45.12 | 21.55 |
| (16) Monterey, Santa Cruz... | \$ 50.78 | 25.42 |

BRCA0003-008 07/01/2022

| | Rates | Fringes |
|-----------------------------|----------|---------|
| TERRAZZO FINISHER..... | \$ 41.93 | 18.98 |
| TERRAZZO WORKER/SETTER..... | \$ 56.84 | 27.53 |

BRCA0003-011 04/01/2022

AREA 1: Alameda, Contra Costa, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz

AREA 2: Calaveras, San Joaquin, Stanislaus, Tuolumne

AREA 3: Fresno, Kings, Madera, Mariposa, Merced

| | Rates | Fringes |
|---------------|----------|---------|
| TILE FINISHER | | |
| Area 1..... | \$ 33.86 | 17.54 |
| Area 2..... | \$ 30.90 | 17.67 |
| Area 3..... | \$ 29.89 | 16.80 |
| Tile Layer | | |
| Area 1..... | \$ 55.41 | 20.50 |
| Area 2..... | \$ 50.66 | 20.40 |
| Area 3..... | \$ 45.76 | 19.92 |

CARP0022-001 07/01/2021

San Francisco County

| | Rates | Fringes |
|--|-------|---------|
|--|-------|---------|

Carpenters

| | | |
|---|----------|-------|
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 55.00 | 31.49 |
| Journeyman Carpenter..... | \$ 54.85 | 31.49 |
| Millwright..... | \$ 54.95 | 33.08 |

CARP0034-001 07/01/2021

| | Rates | Fringes |
|---|-----------|---------|
| Diver | | |
| Assistant Tender, ROV Tender/Technician..... | \$ 54.10 | 34.69 |
| Diver standby..... | \$ 60.51 | 34.69 |
| Diver Tender..... | \$ 59.51 | 34.69 |
| Diver wet..... | \$ 103.62 | 34.69 |
| Manifold Operator (mixed gas)..... | \$ 64.51 | 34.69 |
| Manifold Operator (Standby).\$ | 59.51 | 34.69 |

DEPTH PAY (Surface Diving):

| | |
|----------------|-----------------|
| 050 to 100 ft | \$2.00 per foot |
| 101 to 150 ft | \$3.00 per foot |
| 151 to 220 ft | \$4.00 per foot |
| 221 ft.-deeper | \$5.00 per foot |

SATURATION DIVING:

The standby rate shall apply until saturation starts. The saturation diving rate applies when divers are under pressure continuously until work task and decompression are complete. The diver rate shall be paid for all saturation hours.

DIVING IN ENCLOSURES:

Where it is necessary for Divers to enter pipes or tunnels, or other enclosures where there is no vertical ascent, the following premium shall be paid: Distance traveled from entrance 26 feet to 300 feet: \$1.00 per foot. When it is necessary for a diver to enter any pipe, tunnel or other enclosure less than 48" in height, the premium will be \$1.00 per foot.

WORK IN COMBINATION OF CLASSIFICATIONS:

Employees working in any combination of classifications within the diving crew (except dive supervisor) in a shift are paid in the classification with the highest rate for

that shift.

CARP0034-003 07/01/2021

| | Rates | Fringes |
|-----------------|----------|---------|
| Piledriver..... | \$ 54.10 | 34.69 |

CARP0035-007 07/01/2020

AREA 1: Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara counties

AREA 2: Monterey, San Benito, Santa Cruz Counties

AREA 3: Calaveras, Fresno, Kings, Madera, Mariposa, Merced, San Joaquin, Stanislaus, Tuolumne Counties

| | Rates | Fringes |
|-----------------------------|----------|---------|
| Modular Furniture Installer | | |
| Area 1 | | |
| Installer..... | \$ 28.76 | 22.53 |
| Lead Installer..... | \$ 32.21 | 23.03 |
| Master Installer..... | \$ 36.43 | 23.03 |
| Area 2 | | |
| Installer..... | \$ 26.11 | 22.53 |
| Lead Installer..... | \$ 29.08 | 23.03 |
| Master Installer..... | \$ 32.71 | 23.03 |
| Area 3 | | |
| Installer..... | \$ 25.16 | 22.53 |
| Lead Installer..... | \$ 27.96 | 23.03 |
| Master Installer..... | \$ 31.38 | 23.03 |

CARP0035-008 08/01/2020

AREA 1: Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara counties

AREA 2: Monterey, San Benito, Santa Cruz Counties

AREA 3: San Joaquin

AREA 4: Calaveras, Fresno, Kings, Madera, Mariposa, Merced, Stanislaus, Tuolumne Counties

| Rates | Fringes |
|-------|---------|
|-------|---------|

Drywall Installers/Lathers:

| | | |
|-------------|----------|-------|
| Area 1..... | \$ 52.65 | 31.26 |
| Area 2..... | \$ 46.77 | 31.26 |
| Area 3..... | \$ 47.27 | 31.26 |
| Area 4..... | \$ 45.92 | 31.26 |

Drywall Stocker/Scrapper

| | | |
|-------------|----------|-------|
| Area 1..... | \$ 26.33 | 18.22 |
| Area 2..... | \$ 23.39 | 18.22 |
| Area 3..... | \$ 23.64 | 18.22 |
| Area 4..... | \$ 22.97 | 18.22 |

 CARP0152-001 07/01/2020

Contra Costa County

Rates Fringes

Carpenters

| | | |
|---|----------|-------|
| Bridge Builder/Highway Carpenter..... | \$ 52.65 | 30.82 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 52.80 | 30.82 |
| Journeyman Carpenter..... | \$ 52.65 | 30.82 |
| Millwright..... | \$ 52.75 | 32.41 |

 CARP0152-002 07/01/2020

San Joaquin County

Rates Fringes

Carpenters

| | | |
|---|----------|-------|
| Bridge Builder/Highway Carpenter..... | \$ 52.65 | 30.82 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 46.92 | 30.82 |
| Journeyman Carpenter..... | \$ 46.77 | 30.82 |
| Millwright..... | \$ 49.27 | 32.41 |

 CARP0152-004 07/01/2020

Calaveras, Mariposa, Merced, Stanislaus and Tuolumne Counties

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 52.65 | 30.82 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 45.57 | 30.82 |
| Journeyman Carpenter..... | \$ 45.42 | 30.82 |
| Millwright..... | \$ 47.92 | 32.41 |

 CARP0217-001 07/01/2021

San Mateo County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 55.00 | 31.49 |
| Journeyman Carpenter..... | \$ 54.85 | 31.49 |
| Millwright..... | \$ 54.95 | 33.08 |

 CARP0405-001 07/01/2021

Santa Clara County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 55.00 | 31.49 |
| Journeyman Carpenter..... | \$ 54.85 | 31.49 |
| Millwright..... | \$ 54.95 | 33.08 |

 CARP0405-002 07/01/2021

San Benito County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 49.12 | 31.49 |
| Journeyman Carpenter..... | \$ 48.97 | 31.49 |
| Millwright..... | \$ 51.47 | 33.08 |

 CARP0505-001 07/01/2021

Santa Cruz County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 49.12 | 31.49 |
| Journeyman Carpenter..... | \$ 48.97 | 31.49 |
| Millwright..... | \$ 51.47 | 33.08 |

 CARP0605-001 07/01/2021

Monterey County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 49.12 | 31.49 |
| Journeyman Carpenter..... | \$ 48.97 | 31.49 |
| Millwright..... | \$ 51.47 | 33.08 |

 CARP0701-001 07/01/2021

Fresno and Madera Counties

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 47.77 | 31.49 |
| Journeyman Carpenter..... | \$ 47.62 | 31.49 |
| Millwright..... | \$ 50.12 | 33.08 |

 CARP0713-001 07/01/2021

Alameda County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 55.00 | 31.49 |
| Journeyman Carpenter..... | \$ 54.85 | 31.49 |
| Millwright..... | \$ 54.95 | 33.08 |

 CARP1109-001 07/01/2021

Kings County

| | Rates | Fringes |
|---|----------|---------|
| Carpenters | | |
| Bridge Builder/Highway Carpenter..... | \$ 54.85 | 31.49 |
| Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer..... | \$ 47.77 | 31.49 |
| Journeyman Carpenter..... | \$ 47.62 | 31.49 |
| Millwright..... | \$ 50.12 | 33.08 |

 ELEC0006-004 12/01/2021

SAN FRANCISCO COUNTY

| | Rates | Fringes |
|------------------------|----------|----------|
| Sound & Communications | | |
| Installer..... | \$ 48.43 | 3%+23.15 |
| Technician..... | \$ 55.69 | 3%+23.15 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

 ELEC0006-007 01/01/2023

SAN FRANCISCO COUNTY

| | Rates | Fringes |
|------------------|----------|-----------|
| ELECTRICIAN..... | \$ 84.50 | 3%+40.315 |

 ELEC0100-002 03/01/2023

FRESNO, KINGS, AND MADERA COUNTIES

| | Rates | Fringes |
|------------------|----------|---------|
| ELECTRICIAN..... | \$ 43.50 | 27.655 |

 ELEC0100-005 12/01/2022

FRESNO, KINGS, MADERA

| | Rates | Fringes |
|-----------------------|----------|---------|
| Communications System | | |
| Installer..... | \$ 38.24 | 23.80 |
| Technician..... | \$ 47.80 | 24.08 |

SCOPE OF WORK

Includes the installation testing, service and maintenance, of the following systems which utilize the transmission and/or transference of voice, sound, vision and digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background-foreground music, intercom and telephone interconnect, inventory control systems, microwave transmission, multi-media, multiplex, nurse call system, radio page, school intercom and sound, burglar alarms, and low voltage master clock systems.

A. SOUND AND VOICE TRANSMISSION/TRANSFERENCE SYSTEMS

Background foreground music, Intercom and telephone interconnect systems, Telephone systems Nurse call systems, Radio page systems, School intercom and sound systems, Burglar alarm systems, Low voltage, master clock systems, Multi-media/multiplex systems, Sound and musical entertainment systems, RF systems, Antennas and Wave Guide,

B. FIRE ALARM SYSTEMS Installation, wire pulling and testing

C. TELEVISION AND VIDEO SYSTEMS Television monitoring and surveillance systems Video security systems, Video entertainment systems, Video educational systems, Microwave transmission systems, CATV and CCTV

D. SECURITY SYSTEMS Perimeter security systems Vibration sensor systems Card access systems Access control systems, Sonar/infrared monitoring equipment

E. COMMUNICATIONS SYSTEMS THAT TRANSMIT OR RECEIVE INFORMATION AND/OR CONTROL SYSTEMS THAT ARE INTRINSIC TO THE ABOVE LISTED SYSTEMS SCADA (Supervisory Control and Data Acquisition) PCM (Pulse Code Modulation) Inventory Control Systems, Digital Data Systems Broadband and Baseband and Carriers Point of Sale Systems, VSAT Data Systems Data Communication Systems RF and Remote Control Systems, Fiber Optic Data Systems

WORK EXCLUDED Raceway systems are not covered (excluding Ladder-Rack for the purpose of the above listed systems).

Chases and/or nipples (not to exceed 10 feet) may be installed on open wiring systems. Energy management systems. SCADA (Supervisory Control and Data Acquisition) when not intrinsic to the above listed systems (in the scope). Fire alarm systems when installed in raceways (including wire and cable pulling) shall be performed at the electrician wage rate, when either of the following two (2) conditions apply:

1. The project involves new or major remodel building trades construction.
2. The conductors for the fire alarm system are installed in conduit.

ELEC0234-001 12/26/2022

MONTEREY, SAN BENITO AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|-------------|----------|---------|
| ELECTRICIAN | | |
| Zone A..... | \$ 60.91 | 29.43 |
| Zone B..... | \$ 67.00 | 29.61 |

Zone A: All of Santa Cruz, Monterey, and San Benito Counties within 25 air miles of Highway 1 and Dolan Road in Moss Landing, and an area extending 5 miles east and west of Highway 101 South to the San Luis Obispo County Line

Zone B: Any area outside of Zone A

ELEC0234-003 12/01/2021

MONTEREY, SAN BENITO, AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|------------------------|----------|---------|
| Sound & Communications | | |
| Installer..... | \$ 47.93 | 24.09 |
| Technician..... | \$ 55.12 | 24.30 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or

jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

* ELEC0302-001 02/27/2023

CONTRA COSTA COUNTY

| | Rates | Fringes |
|--------------------|----------|---------|
| CABLE SPLICER..... | \$ 68.92 | 32.67 |
| ELECTRICIAN..... | \$ 61.26 | 32.44 |

ELEC0302-003 12/01/2022

CONTRA COSTA COUNTY

| | Rates | Fringes |
|------------------------|----------|---------|
| Sound & Communications | | |
| Installer..... | \$ 46.64 | 25.30 |
| Technician..... | \$ 53.64 | 25.51 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways

(including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0332-001 06/01/2022

SANTA CLARA COUNTY

| | Rates | Fringes |
|--------------------|----------|---------|
| CABLE SPLICER..... | \$ 92.20 | 42.316 |
| ELECTRICIAN..... | \$ 80.17 | 41.955 |

FOOTNOTES: Work under compressed air or where gas masks are required, or work on ladders, scaffolds, stacks, ""Bosun's chairs,"" or other structures and where the workers are not protected by permanent guard rails at a distance of 40 to 60 ft. from the ground or supporting structures: to be paid one and one-half times the straight-time rate of pay. Work on structures of 60 ft. or over (as described above): to be paid twice the straight-time rate of pay.

ELEC0332-003 12/01/2022

SANTA CLARA COUNTY

| | Rates | Fringes |
|------------------------|----------|---------|
| Sound & Communications | | |
| Installer..... | \$ 51.18 | 25.435 |
| Technician..... | \$ 58.86 | 25.666 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

 ELEC0595-001 06/01/2021

ALAMEDA COUNTY

| | Rates | Fringes |
|--------------------|----------|----------|
| CABLE SPLICER..... | \$ 72.80 | 3%+39.94 |
| ELECTRICIAN..... | \$ 63.30 | 3%+39.94 |

 ELEC0595-002 12/01/2022

CALAVERAS AND SAN JOAQUIN COUNTIES

| | Rates | Fringes |
|-------------------------|----------|-------------|
| CABLE SPLICER..... | \$ 53.34 | 7.75%+25.88 |
| ELECTRICIAN | | |
| (1) Tunnel work..... | \$ 46.67 | 7.75%+25.88 |
| (2) All other work..... | \$ 44.45 | 7.75%+25.88 |

 ELEC0595-006 12/01/2022

ALAMEDA COUNTY

| | Rates | Fringes |
|------------------------|----------|----------|
| Sound & Communications | | |
| Installer..... | \$ 51.18 | 3%+23.90 |
| Technician..... | \$ 58.86 | 3%+23.90 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety

systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0595-008 12/01/2022

CALAVERAS AND SAN JOAQUIN COUNTIES

| | Rates | Fringes |
|-----------------------|----------|----------|
| Communications System | | |
| Installer..... | \$ 40.88 | 3%+23.90 |
| Technician..... | \$ 47.01 | 3%+23.90 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0617-001 06/01/2022

SAN MATEO COUNTY

| | Rates | Fringes |
|--|-------|---------|
|--|-------|---------|

ELECTRICIAN.....\$ 74.00 43.76

ELEC0617-003 12/01/2022

SAN MATEO COUNTY

Rates Fringes

Sound & Communications

Installer.....\$ 51.18 25.44
Technician.....\$ 58.86 25.67

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0684-001 06/01/2022

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES

Rates Fringes

ELECTRICIAN.....\$ 44.25 3%+26.63

CABLE SPLICER = 110% of Journeyman Electrician

ELEC0684-004 12/01/2021

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES

| | Rates | Fringes |
|-----------------------|----------|---------|
| Communications System | | |
| Installer..... | \$ 38.24 | 23.80 |
| Technician..... | \$ 43.98 | 23.97 |

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

 ELEC1245-001 06/01/2022

| | Rates | Fringes |
|--|----------|---------|
| LINE CONSTRUCTION | | |
| (1) Lineman; Cable splicer.. | \$ 64.40 | 22.58 |
| (2) Equipment specialist (operates crawler tractors, commercial motor vehicles, backhoes, trenchers, cranes (50 tons and below), overhead & underground distribution line equipment)..... | \$ 50.00 | 21.30 |
| (3) Groundman..... | \$ 38.23 | 20.89 |
| (4) Powderman..... | \$ 51.87 | 18.79 |

HOLIDAYS: New Year's Day, M.L. King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and day after Thanksgiving, Christmas Day

 ELEV0008-001 01/01/2023

| | Rates | Fringes |
|------------------------|----------|------------|
| ELEVATOR MECHANIC..... | \$ 77.61 | 37.335+a+b |

FOOTNOTE:

- a. PAID VACATION: Employer contributes 8% of regular hourly rate as vacation pay credit for employees with more than 5 years of service, and 6% for 6 months to 5 years of service.
- b. PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

 ENGI0003-001 06/28/2021

""AREA 1"" WAGE RATES ARE LISTED BELOW

""AREA 2"" RECEIVES AN ADDITIONAL \$2.00 PER HOUR ABOVE AREA 1 RATES.

SEE AREA DEFINITIONS BELOW

| | Rates | Fringes |
|--|----------|---------|
| OPERATOR: Power Equipment (AREA 1:) | | |
| GROUP 1..... | \$ 53.92 | 31.54 |
| GROUP 2..... | \$ 52.39 | 31.54 |
| GROUP 3..... | \$ 50.91 | 31.54 |
| GROUP 4..... | \$ 49.53 | 31.54 |
| GROUP 5..... | \$ 48.26 | 31.54 |
| GROUP 6..... | \$ 46.94 | 31.54 |
| GROUP 7..... | \$ 45.80 | 31.54 |
| GROUP 8..... | \$ 44.66 | 31.54 |
| GROUP 8-A..... | \$ 42.45 | 31.54 |
| OPERATOR: Power Equipment (Cranes and Attachments - AREA 1:) | | |
| GROUP 1 | | |
| Cranes..... | \$ 52.30 | 31.15 |
| Oiler..... | \$ 43.79 | 31.15 |
| Truck crane oiler..... | \$ 46.08 | 31.15 |
| GROUP 2 | | |
| Cranes..... | \$ 50.54 | 31.15 |
| Oiler..... | \$ 42.83 | 31.15 |
| Truck crane oiler..... | \$ 45.07 | 31.15 |

| | | |
|---|----------|-------|
| GROUP 3 | | |
| Cranes..... | \$ 48.80 | 31.15 |
| Hydraulic..... | \$ 44.44 | 31.15 |
| Oiler..... | \$ 42.55 | 31.15 |
| Truck crane oiler..... | \$ 44.83 | 31.15 |
| GROUP 4 | | |
| Cranes..... | \$ 45.76 | 31.15 |
| OPERATOR: Power Equipment (Piledriving - AREA 1:) | | |
| GROUP 1 | | |
| Lifting devices..... | \$ 52.64 | 31.15 |
| Oiler..... | \$ 43.38 | 31.15 |
| Truck Crane Oiler..... | \$ 45.66 | 31.15 |
| GROUP 2 | | |
| Lifting devices..... | \$ 50.82 | 31.15 |
| Oiler..... | \$ 43.11 | 31.15 |
| Truck Crane Oiler..... | \$ 45.41 | 31.15 |
| GROUP 3 | | |
| Lifting devices..... | \$ 49.14 | 31.15 |
| Oiler..... | \$ 42.89 | 31.15 |
| Truck Crane Oiler..... | \$ 45.12 | 31.15 |
| GROUP 4 | | |
| Lifting devices..... | \$ 47.37 | 31.15 |
| GROUP 5 | | |
| Lifting devices..... | \$ 44.73 | 31.15 |
| GROUP 6 | | |
| Lifting devices..... | \$ 42.50 | 31.15 |
| OPERATOR: Power Equipment (Steel Erection - AREA 1:) | | |
| GROUP 1 | | |
| Cranes..... | \$ 53.27 | 31.15 |
| Oiler..... | \$ 43.72 | 31.15 |
| Truck Crane Oiler..... | \$ 45.95 | 31.15 |
| GROUP 2 | | |
| Cranes..... | \$ 51.50 | 31.15 |
| Oiler..... | \$ 43.45 | 31.15 |
| Truck Crane Oiler..... | \$ 45.73 | 31.15 |
| GROUP 3 | | |
| Cranes..... | \$ 50.02 | 31.15 |
| Hydraulic..... | \$ 45.07 | 31.15 |
| Oiler..... | \$ 43.23 | 31.15 |
| Truck Crane Oiler..... | \$ 45.46 | 31.15 |
| GROUP 4 | | |
| Cranes..... | \$ 48.00 | 31.15 |
| GROUP 5 | | |
| Cranes..... | \$ 46.70 | 31.15 |
| OPERATOR: Power Equipment (Tunnel and Underground Work - AREA 1:) | | |
| SHAFTS, STOPES, RAISES: | | |

| | | |
|----------------|----------|-------|
| GROUP 1..... | \$ 47.52 | 31.15 |
| GROUP 1-A..... | \$ 49.99 | 31.15 |
| GROUP 2..... | \$ 46.26 | 31.15 |
| GROUP 3..... | \$ 44.93 | 31.15 |
| GROUP 4..... | \$ 43.79 | 31.15 |
| GROUP 5..... | \$ 42.65 | 31.15 |
| UNDERGROUND: | | |
| GROUP 1..... | \$ 47.42 | 31.15 |
| GROUP 1-A..... | \$ 49.89 | 31.15 |
| GROUP 2..... | \$ 46.16 | 31.15 |
| GROUP 3..... | \$ 44.83 | 31.15 |
| GROUP 4..... | \$ 43.69 | 31.15 |
| GROUP 5..... | \$ 42.55 | 31.15 |

FOOTNOTE: Work suspended by ropes or cables, or work on a Yo-Yo Cat: \$.60 per hour additional.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Operator of helicopter (when used in erection work); Hydraulic excavator, 7 cu. yds. and over; Power shovels, over 7 cu. yds.

GROUP 2: Highline cableway; Hydraulic excavator, 3-1/2 cu. yds. up to 7 cu. yds.; Licensed construction work boat operator, on site; Power blade operator (finish); Power shovels, over 1 cu. yd. up to and including 7 cu. yds. m.r.c.

GROUP 3: Asphalt milling machine; Cable backhoe; Combination backhoe and loader over 3/4 cu. yds.; Continuous flight tie back machine assistant to engineer or mechanic; Crane mounted continuous flight tie back machine, tonnage to apply; Crane mounted drill attachment, tonnage to apply; Dozer, slope brd; Gradall; Hydraulic excavator, up to 3 1/2 cu. yds.; Loader 4 cu. yds. and over; Long reach excavator; Multiple engine scraper (when used as push pull); Power shovels, up to and including 1 cu. yd.; Pre-stress wire wrapping machine; Side boom cat, 572 or larger; Track loader 4 cu. yds. and over; Wheel excavator (up to and including 750 cu. yds. per hour)

GROUP 4: Asphalt plant engineer/box person; Chicago boom; Combination backhoe and loader up to and including 3/4 cu. yd.; Concrete batch plant (wet or dry); Dozer and/or push cat; Pull- type elevating loader; Gradesetter, grade checker (GPS, mechanical or otherwise); Grooving and grinding machine; Heading shield operator; Heavy-duty drilling equipment, Hughes, LDH, Watson 3000 or similar;

Heavy-duty repairperson and/or welder; Lime spreader; Loader under 4 cu. yds.; Lubrication and service engineer (mobile and grease rack); Mechanical finishers or spreader machine (asphalt, Barber-Greene and similar); Miller Formless M-9000 slope paver or similar; Portable crushing and screening plants; Power blade support; Roller operator, asphalt; Rubber-tired scraper, self-loading (paddle-wheels, etc.); Rubber-tired earthmoving equipment (scrapers); Slip form paver (concrete); Small tractor with drag; Soil stabilizer (P & H or equal); Spider plow and spider puller; Tubex pile rig; Unlicensed construction work boat operator, on site; Timber skidder; Track loader up to 4 yds.; Tractor-drawn scraper; Tractor, compressor drill combination; Welder; Woods-Mixer (and other similar Pugmill equipment)

GROUP 5: Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete conveyor or concrete pump, truck or equipment mounted; Concrete conveyor, building site; Concrete pump or pumpcrete gun; Drilling equipment, Watson 2000, Texoma 700 or similar; Drilling and boring machinery, horizontal (not to apply to waterliners, wagon drills or jackhammers); Concrete mixer/all; Person and/or material hoist; Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical burm, curb and/or curb and gutter machine, concrete or asphalt); Mine or shaft hoist; Portable crusher; Power jumbo operator (setting slip-forms, etc., in tunnels); Screed (automatic or manual); Self-propelled compactor with dozer; Tractor with boom D6 or smaller; Trenching machine, maximum digging capacity over 5 ft. depth; Vermeer T-600B rock cutter or similar

GROUP 6: Armor-Coater (or similar); Ballast jack tamper; Boom-type backfilling machine; Assistant plant engineer; Bridge and/or gantry crane; Chemical grouting machine, truck-mounted; Chip spreading machine operator; Concrete saw (self-propelled unit on streets, highways, airports and canals); Deck engineer; Drilling equipment Texoma 600, Hughes 200 Series or similar up to and including 30 ft. m.r.c.; Drill doctor; Helicopter radio operator; Hydro-hammer or similar; Line master; Skidsteer loader, Bobcat larger than 743 series or similar (with attachments); Locomotive; Lull hi-lift or similar; Oiler, truck mounted equipment; Pavement breaker, truck-mounted, with compressor combination; Paving fabric installation and/or laying machine; Pipe bending machine (pipelines only); Pipe wrapping machine (tractor propelled and supported); Screed (except asphaltic concrete paving); Self-propelled pipeline wrapping machine; Tractor;

Self-loading chipper; Concrete barrier moving machine

GROUP 7: Ballast regulator; Boom truck or dual-purpose A-frame truck, non-rotating - under 15 tons; Cary lift or similar; Combination slurry mixer and/or cleaner; Drilling equipment, 20 ft. and under m.r.c.; Firetender (hot plant); Grouting machine operator; Highline cableway signalperson; Stationary belt loader (Kolman or similar); Lift slab machine (Vagtborg and similar types); Maginnes internal full slab vibrator; Material hoist (1 drum); Mechanical trench shield; Pavement breaker with or without compressor combination); Pipe cleaning machine (tractor propelled and supported); Post driver; Roller (except asphalt); Chip Seal; Self-propelled automatically applied concrete curing machine (on streets, highways, airports and canals); Self-propelled compactor (without dozer); Signalperson; Slip-form pumps (lifting device for concrete forms); Tie spacer; Tower mobile; Trenching machine, maximum digging capacity up to and including 5 ft. depth; Truck- type loader

GROUP 8: Bit sharpener; Boiler tender; Box operator; Brakeperson; Combination mixer and compressor (shotcrete/gunite); Compressor operator; Deckhand; Fire tender; Forklift (under 20 ft.); Generator; Gunite/shotcrete equipment operator; Hydraulic monitor; Ken seal machine (or similar); Mixermobile; Oiler; Pump operator; Refrigeration plant; Reservoir-debris tug (self-propelled floating); Ross Carrier (construction site); Rotomist operator; Self-propelled tape machine; Shuttlecar; Self-propelled power sweeper operator (includes vacuum sweeper); Slusher operator; Surface heater; Switchperson; Tar pot firetender; Tugger hoist, single drum; Vacuum cooling plant; Welding machine (powered other than by electricity)

GROUP 8-A: Elevator operator; Skidsteer loader-Bobcat 743 series or smaller, and similar (without attachments); Mini excavator under 25 H.P. (backhoe-trencher); Tub grinder wood chipper

ALL CRANES AND ATTACHMENTS

GROUP 1: Clamshell and dragline over 7 cu. yds.; Crane, over 100 tons; Derrick, over 100 tons; Derrick barge pedestal-mounted, over 100 tons; Self-propelled boom-type lifting device, over 100 tons

GROUP 2: Clamshell and dragline over 1 cu. yd. up to and

including 7 cu. yds.; Crane, over 45 tons up to and including 100 tons; Derrick barge, 100 tons and under; Self-propelled boom-type lifting device, over 45 tons; Tower crane

GROUP 3: Clamshell and dragline up to and including 1 cu. yd.; Cranes 45 tons and under; Self-propelled boom-type lifting device 45 tons and under;

GROUP 4: Boom Truck or dual purpose A-frame truck, non-rotating over 15 tons; Truck-mounted rotating telescopic boom type lifting device, Manitex or similar (boom truck) over 15 tons; Truck-mounted rotating telescopic boom type lifting device, Manitex or similar (boom truck) - under 15 tons;

PILEDRIVERS

GROUP 1: Derrick barge pedestal mounted over 100 tons; Clamshell over 7 cu. yds.; Self-propelled boom-type lifting device over 100 tons; Truck crane or crawler, land or barge mounted over 100 tons

GROUP 2: Derrick barge pedestal mounted 45 tons to and including 100 tons; Clamshell up to and including 7 cu. yds.; Self-propelled boom-type lifting device over 45 tons; Truck crane or crawler, land or barge mounted, over 45 tons up to and including 100 tons; Fundex F-12 hydraulic pile rig

GROUP 3: Derrick barge pedestal mounted under 45 tons; Self-propelled boom-type lifting device 45 tons and under; Skid/scow piledriver, any tonnage; Truck crane or crawler, land or barge mounted 45 tons and under

GROUP 4: Assistant operator in lieu of assistant to engineer; Forklift, 10 tons and over; Heavy-duty repairperson/welder

GROUP 5: Deck engineer

GROUP 6: Deckhand; Fire tender

STEEL ERECTORS

GROUP 1: Crane over 100 tons; Derrick over 100 tons; Self-propelled boom-type lifting device over 100 tons

GROUP 2: Crane over 45 tons to 100 tons; Derrick under 100 tons; Self-propelled boom-type lifting device over 45 tons to 100 tons; Tower crane

GROUP 3: Crane, 45 tons and under; Self-propelled boom-type lifting device, 45 tons and under

GROUP 4: Chicago boom; Forklift, 10 tons and over; Heavy-duty repair person/welder

GROUP 5: Boom cat

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TUNNEL AND UNDERGROUND WORK

GROUP 1-A: Tunnel bore machine operator, 20' diameter or more

GROUP 1: Heading shield operator; Heavy-duty repairperson; Mucking machine (rubber tired, rail or track type); Raised bore operator (tunnels); Tunnel mole bore operator

GROUP 2: Combination slusher and motor operator; Concrete pump or pumpcrete gun; Power jumbo operator

GROUP 3: Drill doctor; Mine or shaft hoist

GROUP 4: Combination slurry mixer cleaner; Grouting Machine operator; Motorman

GROUP 5: Bit Sharpener; Brakeman; Combination mixer and compressor (gunite); Compressor operator; Oiler; Pump operator; Slusher operator

AREA DESCRIPTIONS:

POWER EQUIPMENT OPERATORS, CRANES AND ATTACHMENTS, TUNNEL AND UNDERGROUND [These areas do not apply to Piledrivers and Steel Erectors]

AREA 1: ALAMEDA, CALAVERAS, CONTRA COSTA, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, STANISLAUS, TUOLUMNE

AREA 2 -NOTED BELOW

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS

NOTED BELOW:

CALAVERAS COUNTY:
 Area 1: Remainder
 Area 2: Eastern Part

FRESNO COUNTY:
 Area 1: Remainder
 Area 2: Eastern Part

MADERA COUNTY:
 Area 1: Remainder
 Area 2: Eastern Part

MARIPOSA COUNTY:
 Area 1: Remainder
 Area 2: Eastern Part

MONTEREY COUNTY:
 Area 1: Remainder
 Area 2: Southwestern part

TUOLUMNE COUNTY:
 Area 1: Remainder
 Area 2: Eastern Part

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| | Rates | Fringes |
|---|----------|---------|
| Dredging: (DREDGING: CLAMSHELL & DIPPER DREDGING; HYDRAULIC SUCTION DREDGING:) | | |
| AREA 1: | | |
| (1) Leverman..... | \$ 55.15 | 35.46 |
| (2) Dredge Dozer; Heavy duty repairman..... | \$ 50.19 | 35.46 |
| (3) Booster Pump Operator; Deck Engineer; Deck mate; Dredge Tender; Winch Operator..... | \$ 49.07 | 35.46 |
| (4) Bargeman; Deckhand; Fireman; Leveehand; Oiler.. | \$ 45.77 | 35.46 |
| AREA 2: | | |
| (1) Leverman..... | \$ 57.15 | 35.46 |
| (2) Dredge Dozer; Heavy duty repairman..... | \$ 52.19 | 35.46 |
| (3) Booster Pump | | |

| | | |
|-----------------------------|----------|-------|
| Operator; Deck | | |
| Engineer; Deck mate; | | |
| Dredge Tender; Winch | | |
| Operator..... | \$ 51.07 | 35.46 |
| (4) Bargeman; Deckhand; | | |
| Fireman; Leveehand; Oiler.. | \$ 47.77 | 35.46 |

AREA DESCRIPTIONS

AREA 1: ALAMEDA,BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED, NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS, SUTTER, YOLO, AND YUBA COUNTIES

AREA 2: MODOC COUNTY

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part
Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Remainder
Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part
Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part
Area 2: Remainder

FRESNO COUNTY:

Area 1: Remainder
Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part
Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border with Shasta County
Area 2: Remainder

MADERA COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Except Eastern part

Area 2: Eastern part

MONTERREY COUNTY

Area 1: Except Southwestern part

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Remainder

TEHAMA COUNTY:

Area 1: All but the Western border with Mendocino & Trinity
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeastern border with
Shasta County

Area 2: Remainder

TUOLUMNE COUNTY:

Area 1: Except Eastern part
Area 2: Eastern part

ENGI0003-019 06/29/2020

SEE AREA DESCRIPTIONS BELOW

| | Rates | Fringes |
|--|----------|---------|
| OPERATOR: Power Equipment (LANDSCAPE WORK ONLY) | | |
| GROUP 1 | | |
| AREA 1..... | \$ 39.95 | 30.28 |
| AREA 2..... | \$ 41.95 | 30.28 |
| GROUP 2 | | |
| AREA 1..... | \$ 36.35 | 30.28 |
| AREA 2..... | \$ 38.35 | 30.28 |
| GROUP 3 | | |
| AREA 1..... | \$ 31.74 | 30.28 |
| AREA 2..... | \$ 33.74 | 30.28 |

GROUP DESCRIPTIONS:

GROUP 1: Landscape Finish Grade Operator: All finish grade work regardless of equipment used, and all equipment with a rating more than 65 HP.

GROUP 2: Landscape Operator up to 65 HP: All equipment with a manufacturer's rating of 65 HP or less except equipment covered by Group 1 or Group 3. The following equipment shall be included except when used for finish work as long as manufacturer's rating is 65 HP or less: A-Frame and Winch Truck, Backhoe, Forklift, Hydragraphic Seeder Machine, Roller, Rubber-Tired and Track Earthmoving Equipment, Skiploader, Straw Blowers, and Trencher 31 HP up to 65 HP.

GROUP 3: Landscae Utility Operator: Small Rubber-Tired Tractor, Trencher Under 31 HP.

AREA DESCRIPTIONS:

AREA 1: ALAMEDA, BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED, NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS, SUTTER, YOLO, AND YUBA COUNTIES

AREA 2 - MODOC COUNTY

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part
Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Except Eastern part
Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part
Area 2: Remainder

DEL NORTE COUNTY:

Area 1: Extreme Southwestern corner
Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part
Area 2: Remainder

FRESNO COUNTY

Area 1: Except Eastern part
Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part
Area 2: Remainder

HUMBOLDT COUNTY:

Area 1: Except Eastern and Southwestern parts
Area 2: Remainder

LAKE COUNTY:

Area 1: Southern part
Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border
with Shasta County
Area 2: Remainder

MADERA COUNTY

Area 1: Remainder
Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Remainder

Area 2: Eastern part

MENDOCINO COUNTY:

Area 1: Central and Southeastern parts

Area 2: Remainder

MONTEREY COUNTY

Area 1: Remainder

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Remainder

TEHAMA COUNTY:

Area 1: All but the Western border with Mendocino & Trinity
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeast border with
Shasta County

Area 2: Remainder

TULARE COUNTY;

Area 1: Remainder
Area 2: Eastern part

TUOLUMNE COUNTY:
Area 1: Remainder
Area 2: Eastern Part

IRON0377-001 01/01/2023

ALAMEDA, CONTRA COSTA, SAN MATEO, SANTA CLARA COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| Ironworkers: | | |
| Fence Erector..... | \$ 41.28 | 25.66 |
| Ornamental, Reinforcing and Structural..... | \$ 49.88 | 34.30 |

PREMIUM PAY:

\$6.00 additional per hour at the following locations:

China Lake Naval Test Station, Chocolate Mountains Naval Reserve-Niland, Edwards AFB, Fort Irwin Military Station, Fort Irwin Training Center-Goldstone, San Clemente Island, San Nicholas Island, Susanville Federal Prison, 29 Palms - Marine Corps, U.S. Marine Base - Barstow, U.S. Naval Air Facility - Sealey, Vandenberg AFB

\$4.00 additional per hour at the following locations:

Army Defense Language Institute - Monterey, Fallon Air Base, Naval Post Graduate School - Monterey, Yermo Marine Corps Logistics Center

\$2.00 additional per hour at the following locations:

Port Hueneme, Port Mugu, U.S. Coast Guard Station - Two Rock

IRON0377-003 01/01/2023

SAN FRANCISCO CITY and COUNTY

| | Rates | Fringes |
|--------------------|----------|---------|
| Ironworkers: | | |
| Fence Erector..... | \$ 41.28 | 25.66 |

| | | |
|--|----------|-------|
| Ornamental, Reinforcing and Structural..... | \$ 50.38 | 34.30 |
|--|----------|-------|

PREMIUM PAY:

\$6.00 additional per hour at the following locations:

China Lake Naval Test Station, Chocolate Mountains Naval Reserve-Niland, Edwards AFB, Fort Irwin Military Station, Fort Irwin Training Center-Goldstone, San Clemente Island, San Nicholas Island, Susanville Federal Prison, 29 Palms - Marine Corps, U.S. Marine Base - Barstow, U.S. Naval Air Facility - Sealey, Vandenberg AFB

\$4.00 additional per hour at the following locations:

Army Defense Language Institute - Monterey, Fallon Air Base, Naval Post Graduate School - Monterey, Yermo Marine Corps Logistics Center

\$2.00 additional per hour at the following locations:

Port Hueneme, Port Mugu, U.S. Coast Guard Station - Two Rock

IRON0433-005 01/01/2023

REMAINING COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| IRONWORKER | | |
| Fence Erector..... | \$ 41.28 | 25.66 |
| Ornamental, Reinforcing and Structural..... | \$ 46.20 | 34.30 |

PREMIUM PAY:

\$6.00 additional per hour at the following locations:

China Lake Naval Test Station, Chocolate Mountains Naval Reserve-Niland, Edwards AFB, Fort Irwin Military Station, Fort Irwin Training Center-Goldstone, San Clemente Island, San Nicholas Island, Susanville Federal Prison, 29 Palms - Marine Corps, U.S. Marine Base - Barstow, U.S. Naval Air Facility - Sealey, Vandenberg AFB

\$4.00 additional per hour at the following locations:

Army Defense Language Institute - Monterey, Fallon Air Base,
Naval Post Graduate School - Monterey, Yermo Marine Corps
Logistics Center

\$2.00 additional per hour at the following locations:

Port Hueneme, Port Mugu, U.S. Coast Guard Station - Two Rock

LAB00067-002 06/27/2022

AREA ""A"" - ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO AND
SANTA CLARA COUNTIES

AREA ""B"" - CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA,
MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, STANISLAUS, AND
TUOLUMNE COUNTIES

| | Rates | Fringes |
|--------------------------|----------|---------|
| Asbestos Removal Laborer | | |
| All Counties..... | \$ 27.05 | 13.50 |
| LABORER (Lead Removal) | | |
| Area A..... | \$ 35.37 | 26.95 |
| Area B..... | \$ 34.37 | 26.95 |

ASBESTOS REMOVAL-SCOPE OF WORK: Site mobilization; initial site clean-up; site preparation; removal of asbestos-containing materials from walls and ceilings; or from pipes, boilers and mechanical systems only if they are being scrapped; encapsulation, enclosure and disposal of asbestos-containing materials by hand or with equipment or machinery; scaffolding; fabrication of temporary wooden barriers; and assembly of decontamination stations.

LAB00073-002 06/28/2021

CALAVERAS AND SAN JOAQUIN COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person.. | \$ 33.48 | 26.21 |
| Traffic Control Person I.... | \$ 33.78 | 26.21 |
| Traffic Control Person II... | \$ 31.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LAB00073-003 07/01/2022

SAN JOAQUIN COUNTY

| | Rates | Fringes |
|-------------------------|----------|---------|
| LABORER | | |
| Mason Tender-Brick..... | \$ 35.29 | 25.21 |

LAB00073-005 07/01/2021

| | Rates | Fringes |
|----------------------------|----------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1..... | \$ 42.00 | 25.71 |
| GROUP 2..... | \$ 41.77 | 25.71 |
| GROUP 3..... | \$ 41.52 | 25.71 |
| GROUP 4..... | \$ 41.07 | 25.71 |
| GROUP 5..... | \$ 40.53 | 25.71 |
| Shotcrete Specialist..... | \$ 42.52 | 25.71 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete nozzlelemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunite & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -

muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LAB00073-007 06/25/2018

CALAVERAS AND SAN JOAQUIN COUNTIES

| | Rates | Fringes |
|---|----------|---------|
| LABORER (CONSTRUCTION CRAFT LABORERS) | | |
| Construction Specialist | | |
| Group..... | \$ 30.49 | 23.20 |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 1-a..... | \$ 30.01 | 23.20 |
| GROUP 1-c..... | \$ 29.84 | 23.20 |
| GROUP 1-e..... | \$ 30.34 | 23.20 |
| GROUP 1-f..... | \$ 30.37 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |
| GROUP 3..... | \$ 29.54 | 23.20 |
| GROUP 4..... | \$ 23.23 | 23.20 |
| See groups 1-b and 1-d under laborer classifications. | | |
| LABORER (GARDENERS, HORTICULTURAL & LANDSCAPE LABORERS) | | |
| (1) New Construction..... | \$ 29.54 | 23.20 |
| (2) Establishment Warranty Period..... | \$ 23.23 | 23.20 |
| LABORER (GUNITE) | | |
| GROUP 1..... | \$ 29.75 | 22.31 |
| GROUP 2..... | \$ 29.25 | 22.31 |
| GROUP 3..... | \$ 28.66 | 22.31 |
| GROUP 4..... | \$ 28.54 | 22.31 |
| LABORER (WRECKING) | | |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in-place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and bucket; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and

explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LAB00073-009 07/01/2021

CALAVERAS AND SAN JOAQUIN COUNTIES

| | Rates | Fringes |
|-------------------------------|----------|---------|
| LABORER (Plaster Tender)..... | \$ 35.82 | 28.45 |

Work on a swing stage scaffold: \$1.00 per hour additional.

LAB00261-003 06/28/2021

SAN FRANCISCO AND SAN MATEO COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person.. | \$ 34.48 | 26.21 |
| Traffic Control Person I.... | \$ 34.78 | 26.21 |
| Traffic Control Person II... | \$ 32.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LAB00261-005 07/01/2021

SAN FRANCISCO AND SAN MATEO COUNTIES

| | Rates | Fringes |
|----------------------------|----------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1..... | \$ 42.00 | 25.71 |
| GROUP 2..... | \$ 41.77 | 25.71 |
| GROUP 3..... | \$ 41.52 | 25.71 |
| GROUP 4..... | \$ 41.07 | 25.71 |
| GROUP 5..... | \$ 40.53 | 25.71 |
| Shotcrete Specialist..... | \$ 42.52 | 25.71 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;

Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunite & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LAB00261-009 06/25/2018

SAN FRANCISCO, AND SAN MATEO COUNTIES

| | Rates | Fringes |
|---|----------|---------|
| LABORER (CONSTRUCTION CRAFT | | |
| LABORERS - AREA A:) | | |
| Construction Specialist | | |
| Group..... | \$ 31.49 | 23.20 |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 1-a..... | \$ 31.01 | 23.20 |
| GROUP 1-c..... | \$ 30.84 | 23.20 |
| GROUP 1-e..... | \$ 31.34 | 23.20 |
| GROUP 1-f..... | \$ 31.37 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |
| GROUP 3..... | \$ 30.54 | 23.20 |
| GROUP 4..... | \$ 24.23 | 23.20 |
| See groups 1-b and 1-d under laborer classifications. | | |
| LABORER (GARDENERS, | | |
| HORTICULTURAL & LANDSCAPE | | |
| LABORERS - AREA A:) | | |
| (1) New Construction..... | \$ 30.54 | 23.20 |
| (2) Establishment Warranty | | |
| Period..... | \$ 24.23 | 23.20 |
| LABORER (WRECKING - AREA A:) | | |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |
| Laborers: (GUNITE - AREA A:) | | |
| GROUP 1..... | \$ 30.75 | 22.31 |
| GROUP 2..... | \$ 30.25 | 22.31 |
| GROUP 3..... | \$ 29.66 | 22.31 |

Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. ""Sewer cleaner"" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work);

Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LAB00261-011 07/01/2021

SAN FRANCISCO AND SAN MATEO COUNTIES:

| | Rates | Fringes |
|--------------------------|----------|---------|
| MASON TENDER, BRICK..... | \$ 34.85 | 26.32 |

FOOTNOTES: Underground work such as sewers, manholes, catch basins, sewer pipes, telephone conduits, tunnels and cut trenches: \$5.00 per day additional. Work in live sewage: \$2.50 per day additional.

LAB00261-014 07/01/2022

SAN FRANCISCO AND SAN MATEO COUNTIES:

| | Rates | Fringes |
|---------------------|----------|---------|
| PLASTER TENDER..... | \$ 40.48 | 30.23 |

Work on a swing stage scaffold: \$1.00 per hour additional.

LAB00270-003 06/28/2021

AREA A: SANTA CLARA

AREA B: MONTEREY, SAN BENITO AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person | | |
| Area A..... | \$ 34.48 | 26.21 |
| Area B..... | \$ 33.48 | 26.21 |
| Traffic Control Person I | | |
| Area A..... | \$ 34.78 | 26.21 |
| Area B..... | \$ 33.78 | 26.21 |

Traffic Control Person II

| | | |
|-------------|----------|-------|
| Area A..... | \$ 32.28 | 26.21 |
| Area B..... | \$ 31.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LAB00270-004 07/01/2021

MONTEREY, SAN BENITO, SANTA CLARA, AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|----------------------------|----------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1..... | \$ 42.00 | 25.71 |
| GROUP 2..... | \$ 41.77 | 25.71 |
| GROUP 3..... | \$ 41.52 | 25.71 |
| GROUP 4..... | \$ 41.07 | 25.71 |
| GROUP 5..... | \$ 40.53 | 25.71 |
| Shotcrete Specialist..... | \$ 42.52 | 25.71 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunite & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO0270-005 07/01/2022

MONTEREY AND SAN BENITO COUNTIES

| | Rates | Fringes |
|-------------------------|----------|---------|
| LABORER | | |
| Mason Tender-Brick..... | \$ 35.29 | 25.21 |

LABO0270-007 06/25/2018

MONTEREY, SAN BENITO, AND SANTA CRUZ, COUNTIES

| | Rates | Fringes |
|---|----------|---------|
| LABORER (CONSTRUCTION CRAFT LABORERS - AREA B) | | |
| Construction Specialist | | |
| Group..... | \$ 30.40 | 23.20 |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 1-a..... | \$ 30.01 | 23.20 |
| GROUP 1-c..... | \$ 29.84 | 23.20 |
| GROUP 1-e..... | \$ 30.34 | 23.20 |
| GROUP 1-f..... | \$ 30.37 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |
| GROUP 3..... | \$ 29.54 | 23.20 |
| GROUP 4..... | \$ 23.23 | 23.20 |

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS - AREA B)

| | | |
|---|----------|-------|
| (1) New Construction..... | \$ 29.54 | 23.20 |
| (2) Establishment Warranty Period..... | \$ 23.23 | 23.20 |

LABORER (GUNITE - AREA B)

| | | |
|--------------|----------|-------|
| GROUP 1..... | \$ 29.75 | 22.31 |
| GROUP 2..... | \$ 29.25 | 22.31 |
| GROUP 3..... | \$ 28.66 | 22.31 |
| GROUP 4..... | \$ 28.54 | 22.31 |

LABORER (WRECKING - AREA B)

| | | |
|--------------|----------|-------|
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers

entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in-place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and bucket; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete

construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunitite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building

materials)

LAB00270-010 06/25/2018

SANTA CLARA COUNTY

| | Rates | Fringes |
|--|----------|---------|
| LABORER (CONSTRUCTION CRAFT LABORERS - AREA A:) | | |
| Construction Specialist | | |
| Group..... | \$ 31.49 | 23.20 |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 1-a..... | \$ 31.01 | 23.20 |
| GROUP 1-c..... | \$ 30.84 | 23.20 |
| GROUP 1-e..... | \$ 31.34 | 23.20 |
| GROUP 1-f..... | \$ 30.37 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |
| GROUP 3..... | \$ 30.54 | 23.20 |
| GROUP 4..... | \$ 24.23 | 23.20 |

 See groups 1-b and 1-d under laborer classifications.

| | | |
|---|----------|-------|
| LABORER (GARDENERS, HORTICULTURAL & LANDSCAPE LABORERS - AREA A:) | | |
| (1) New Construction..... | \$ 30.54 | 23.20 |
| (2) Establishment Warranty Period..... | \$ 24.23 | 23.20 |
| LABORER (GUNITE - AREA A:) | | |
| GROUP 1..... | \$ 30.75 | 22.31 |
| GROUP 2..... | \$ 30.25 | 22.31 |
| GROUP 3..... | \$ 29.66 | 22.31 |
| GROUP 4..... | \$ 29.54 | 22.31 |
| LABORER (WRECKING - AREA A:) | | |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |

FOOTNOTES:

 Laborers working off or with or from bos'n chairs, swinging
 scaffolds, belts shall receive \$0.25 per hour above the
 applicable wage rate. This shall not apply to workers
 entitled to receive the wage rate set forth in Group 1-a
 below.

LABORER CLASSIFICATIONS

 CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;

Chainsaw; Laser beam in connection with laborers' work;
 Cast-in- place manhole form setter; Pressure pipelayer;
 Davis trencher - 300 or similar type (and all small
 trenchers); Blaster; Diamond driller; Multiple unit drill;
 Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker
 and similar type tampers; Buggymobile; Caulker, bander,
 pipewrapper, conduit layer, plastic pipelayer; Certified
 hazardous waste worker including Leade Abatement;
 Compactors of all types; Concrete and magnesite mixer, 1/2
 yd. and under; Concrete pan work; Concrete sander; Concrete
 saw; Cribber and/or shoring; Cut granite curb setter;
 Dri-pak-it machine; Faller, logloader and bucket; Form
 raiser, slip forms; Green cutter; Headerboard, Hubsetter,
 aligner, by any method; High pressure blow pipe (1-1/2" or
 over, 100 lbs. pressure/over); Hydro seeder and similar
 type; Jackhammer operator; Jacking of pipe over 12 inches;
 Jackson and similar type compactor; Kettle tender, pot and
 worker applying asphalt, lay-kold, creosote, lime, caustic
 and similar type materials (applying means applying,
 dipping or handling of such materials); Lagging, sheeting,
 whaling, bracing, trenchjacking, lagging hammer; Magnesite,
 epoxyresin, fiberglass, mastic worker (wet or dry); No
 joint pipe and stripping of same, including repair of
 voids; Pavement breaker and spader, including tool grinder;
 Perma curb; Pipelayer (including grade checking in
 connection with pipelaying); Precast-manhole setter;
 Pressure pipe tester; Post hole digger, air, gas and
 electric; Power broom sweeper; Power tampers of all types
 (except as shown in Group 2); Ram set gun and stud gun;
 Riprap stonepaver and rock-slinger, including placing of
 sacked concrete and/or sand (wet or dry) and gabions and
 similar type; Rotary scarifier or multiple head concrete
 chipping scarifier; Roto and Ditch Witch; Rototiller;
 Sandblaster, pot, gun, nozzle operators; Signalling and
 rigging; Tank cleaner; Tree climber; Turbo blaster;
 Vibrascreed, bull float in connection with laborers' work;
 Vibrator; Hazardous waste worker (lead removal); Asbestos
 and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143
 and similar type drills; Track driller; Jack leg driller;
 Wagon driller; Mechanical drillers, all types regardless of
 type or method of power; Mechanical pipe layers, all types
 regardless of type or method of power; Blaster and powder;
 All work of loading, placing and blasting of all powder and
 explosives of whatever type regardless of method used for
 such loading and placing; High scalers (including drilling
 of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural

and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification ""material cleaner"" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunitite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LAB00270-011 07/01/2017

MONTEREY, SAN BENITO, SANTA CRUZ, SANTA CLARA COUNTIES

Rates Fringes

LABORER (Plaster Tender).....\$ 34.70 21.22

Work on a swing stage scaffold: \$1.00 per hour additional.

LAB00294-001 07/01/2022

FRESNO, KINGS AND MADERA COUNTIES

| | Rates | Fringes |
|---------------------------------|-------|---------|
| LABORER (Brick) | | |
| Mason Tender-Brick.....\$ 35.29 | 35.29 | 25.21 |

LAB00294-002 06/28/2021

FRESNO, KINGS, AND MADERA COUNTIES

| | Rates | Fringes |
|--|-------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person..\$ 33.48 | 33.48 | 26.21 |
| Traffic Control Person I...\$ 33.78 | 33.78 | 26.21 |
| Traffic Control Person II...\$ 31.28 | 31.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LAB00294-005 07/01/2021

FRESNO, KINGS, AND MADERA COUNTIES

| | Rates | Fringes |
|-----------------------------------|-------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1.....\$ 42.00 | 42.00 | 25.71 |
| GROUP 2.....\$ 41.77 | 41.77 | 25.71 |
| GROUP 3.....\$ 41.52 | 41.52 | 25.71 |
| GROUP 4.....\$ 41.07 | 41.07 | 25.71 |
| GROUP 5.....\$ 40.53 | 40.53 | 25.71 |
| Shotcrete Specialist.....\$ 42.52 | 42.52 | 25.71 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete

nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunitite & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LAB00294-008 06/25/2018

FRESNO, KINGS, AND MADERA COUNTIES

| | Rates | Fringes |
|-----------------------------|----------|---------|
| LABORER (CONSTRUCTION CRAFT | | |
| LABORERS - AREA B:) | | |
| Construction Specialist | | |
| Group..... | \$ 30.49 | 23.20 |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 1-a..... | \$ 30.01 | 23.20 |
| GROUP 1-c..... | \$ 29.84 | 23.20 |
| GROUP 1-e..... | \$ 30.34 | 23.20 |
| GROUP 1-f..... | \$ 30.37 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |
| GROUP 3..... | \$ 29.54 | 23.20 |
| GROUP 4..... | \$ 23.23 | 23.20 |

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS - AREA B:)

| | | |
|---|----------|-------|
| (1) New Construction..... | \$ 29.54 | 23.20 |
| (2) Establishment Warranty Period..... | \$ 23.23 | 23.20 |

LABORER (GUNITITE - AREA B:)

| | | |
|------------------------------|----------|-------|
| GROUP 1..... | \$ 29.75 | 22.31 |
| GROUP 2..... | \$ 29.25 | 22.31 |
| GROUP 3..... | \$ 28.66 | 22.31 |
| GROUP 4..... | \$ 28.54 | 22.31 |
| LABORER (WRECKING - AREA B:) | | |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in- place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and bucket; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and

electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LAB00294-010 07/01/2021

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS & TUOLUMNE

| | Rates | Fringes |
|---|----------|---------|
| Plasterer tender..... | \$ 35.82 | 28.45 |
| Work on a swing stage scaffold: \$1.00 per hour additional. | | |

LAB00294-011 07/01/2021

FRESNO, KINGS, AND MADERA COUNTIES

| | Rates | Fringes |
|---|----------|---------|
| LABORER (Plaster Tender)..... | \$ 35.82 | 28.45 |
| Work on a swing stage scaffold: \$1.00 per hour additional. | | |

LAB00304-002 06/28/2021

ALAMEDA COUNTY

| | Rates | Fringes |
|--|----------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person.. | \$ 34.48 | 26.21 |
| Traffic Control Person I.... | \$ 34.78 | 26.21 |
| Traffic Control Person II... | \$ 32.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash

cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LAB00304-003 07/01/2021

ALAMEDA COUNTY

| | Rates | Fringes |
|----------------------------|----------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1..... | \$ 42.00 | 25.71 |
| GROUP 2..... | \$ 41.77 | 25.71 |
| GROUP 3..... | \$ 41.52 | 25.71 |
| GROUP 4..... | \$ 41.07 | 25.71 |
| GROUP 5..... | \$ 40.53 | 25.71 |
| Shotcrete Specialist..... | \$ 42.52 | 25.71 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunite & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LAB00304-004 06/25/2018

ALAMEDA COUNTY

| | Rates | Fringes |
|---|----------|---------|
| LABORER (CONSTRUCTION CRAFT LABORERS - AREA A:) | | |
| Construction Specialist | | |
| Group..... | \$ 31.49 | 23.20 |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 1-a..... | \$ 31.01 | 23.20 |
| GROUP 1-c..... | \$ 30.84 | 23.20 |
| GROUP 1-e..... | \$ 31.34 | 23.20 |
| GROUP 1-f..... | \$ 30.37 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |
| GROUP 3..... | \$ 30.54 | 23.20 |
| GROUP 4..... | \$ 24.23 | 23.20 |
| See groups 1-b and 1-d under laborer classifications. | | |
| LABORER (GARDENERS, HORTICULTURAL & LANDSCAPE LABORERS - AREA A:) | | |
| (1) New Construction..... | \$ 30.54 | 23.20 |
| (2) Establishment Warranty Period..... | \$ 24.23 | 23.20 |
| LABORER (GUNITE - AREA A:) | | |
| GROUP 1..... | \$ 30.75 | 22.31 |
| GROUP 2..... | \$ 30.25 | 22.31 |
| GROUP 3..... | \$ 29.66 | 22.31 |
| GROUP 4..... | \$ 29.54 | 22.31 |
| LABORER (WRECKING - AREA A:) | | |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in-place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and bucket; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active,

large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

- GROUP 1: Structural Nozzleman
- GROUP 2: Nozzleman, Gunman, Potman, Groundman
- GROUP 3: Reboundman
- GROUP 4: Gunitite laborer

WRECKING WORK LABORER CLASSIFICATIONS

- GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)
- GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LAB00304-005 05/01/2018

ALAMEDA COUNTY

| | Rates | Fringes |
|-------------------|----------|---------|
| Brick Tender..... | \$ 35.37 | 20.70 |

FOOTNOTES: Work on jobs where heat-protective clothing is required: \$2.00 per hour additional. Work at grinders: \$.25 per hour additional. Manhole work: \$2.00 per day additional.

LAB00304-008 07/01/2017

ALAMEDA AND CONTRA COSTA COUNTIES:

| | Rates | Fringes |
|-----------------------|----------|---------|
| Plasterer tender..... | \$ 34.70 | 23.11 |

Work on a swing stage scaffold: \$1.00 per hour additional.

LAB00324-002 06/28/2021

CONTRA COSTA COUNTY

| | Rates | Fringes |
|--|----------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person.. | \$ 34.48 | 26.21 |
| Traffic Control Person I.... | \$ 34.78 | 26.21 |
| Traffic Control Person II... | \$ 32.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LAB00324-006 06/25/2018

CONTRA COSTA COUNTY

| | Rates | Fringes |
|----------------------------|----------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1..... | \$ 37.82 | 24.11 |
| GROUP 2..... | \$ 37.59 | 24.11 |
| GROUP 3..... | \$ 37.34 | 24.11 |
| GROUP 4..... | \$ 36.89 | 24.11 |
| GROUP 5..... | \$ 36.35 | 24.11 |
| Shotcrete Specialist..... | \$ 38.34 | 24.11 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunite & shotcrete gunman & potman; Headermen; High pressure nozzleman; Miner - tunnel, including top and bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LAB00324-012 06/25/2018

CONTRA COSTA COUNTY

| | Rates | Fringes |
|---|----------|---------|
| LABORER (CONSTRUCTION CRAFT | | |
| LABORERS - AREA A:) | | |
| Construction Specialist | | |
| Group..... | \$ 31.49 | 23.20 |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 1-a..... | \$ 31.01 | 23.20 |
| GROUP 1-c..... | \$ 30.84 | 23.20 |
| GROUP 1-e..... | \$ 31.34 | 23.20 |
| GROUP 1-f..... | \$ 30.37 | 23.20 |
| GROUP 1-g..... | \$ 30.99 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |
| GROUP 3..... | \$ 30.54 | 23.20 |
| GROUP 4..... | \$ 24.23 | 23.20 |
| See groups 1-b and 1-d under laborer classifications. | | |
| LABORER (GARDENERS, | | |
| HORTICULURAL & LANDSCAPE | | |
| LABORERS - AREA A:) | | |
| (1) New Construction..... | \$ 30.54 | 23.20 |
| (2) Establishment Warranty | | |
| Period..... | \$ 24.23 | 23.20 |
| LABORER (GUNITES - AREA A:) | | |

| | | |
|------------------------------|----------|-------|
| GROUP 1..... | \$ 30.75 | 22.31 |
| GROUP 2..... | \$ 30.25 | 22.31 |
| GROUP 3..... | \$ 29.66 | 22.31 |
| GROUP 4..... | \$ 29.54 | 22.31 |
| LABORER (WRECKING - AREA A:) | | |
| GROUP 1..... | \$ 30.79 | 23.20 |
| GROUP 2..... | \$ 30.64 | 23.20 |

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in- place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and bucket; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and

electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 1-g, CONTRA COSTA COUNTY: Pipelayer (including grade checking in connection with pipelaying); Caulker; Bander; Pipewrapper; Conduit layer; Plastic pipe layer; Pressure pipe tester; No joint pipe and stripping of same, including repair of voids; Precast manhole setters, cast in place manhole form setters

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

GROUP 1-g, CONTRA COSTA COUNTY: Pipelayer (including grade checking in connection with pipelaying); Caulker; Bander; Pipewrapper; Conduit layer; Plastic pipe layer; Pressure pipe tester; No joint pipe and stripping of same, including repair of voids; Precast manhole setters, cast in place manhole form setters

LAB00324-014 05/01/2018

CONTRA COSTA COUNTY:

| | Rates | Fringes |
|-------------------|----------|---------|
| Brick Tender..... | \$ 35.37 | 20.70 |

FOOTNOTES: Work on jobs where heat-protective clothing is required: \$2.00 per hour additional. Work at grinders: \$.25 per hour additional. Manhole work: \$2.00 per day additional.

LAB00324-018 07/01/2021

ALAMEDA AND CONTRA COSTA COUNTIES:

| | Rates | Fringes |
|-----------------------|----------|---------|
| Plasterer tender..... | \$ 38.28 | 29.43 |

Work on a swing stage scaffold: \$1.00 per hour additional.

 LAB01130-002 06/28/2021

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| LABORER (TRAFFIC CONTROL/LANE CLOSURE) | | |
| Escort Driver, Flag Person.. | \$ 33.48 | 26.21 |
| Traffic Control Person I.... | \$ 33.78 | 26.21 |
| Traffic Control Person II... | \$ 31.28 | 26.21 |

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

 LAB01130-003 06/26/2017

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE COUNTIES

| | Rates | Fringes |
|----------------------------|----------|---------|
| Tunnel and Shaft Laborers: | | |
| GROUP 1..... | \$ 36.60 | 24.83 |
| GROUP 2..... | \$ 36.37 | 24.83 |
| GROUP 3..... | \$ 36.12 | 24.83 |
| GROUP 4..... | \$ 35.67 | 24.83 |
| GROUP 5..... | \$ 35.13 | 24.83 |
| Shotcrete Specialist..... | \$ 37.12 | 24.83 |

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete nozzle men

GROUP 2: Rodmen; Shaft work & raise (below actual or excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading; Cherry pickermen - where car is lifted; Concrete finisher in tunnel; Concrete screedman; Grout pumpman and potman; Gunite & shotcrete gunman & potman; Headermen; High pressure nozzle man; Miner - tunnel, including top and

bottom man on shaft and raise work; Nipper; Nozzleman on slick line; Sandblaster - potman, Robotic Shotcrete Placer, Segment Erector, Tunnel Muck Hauler, Steel Form raiser and setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LAB01130-005 07/01/2022

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES

| | Rates | Fringes |
|-------------------------|----------|---------|
| LABORER | | |
| Mason Tender-Brick..... | \$ 35.29 | 25.21 |

LAB01130-007 06/25/2018

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE , COUNTIES

| | Rates | Fringes |
|--|----------|---------|
| LABORER (CONSTRUCTION CRAFT LABORERS - AREA B:) | | |
| Construction Specialist | | |
| Group..... | \$ 30.49 | 23.20 |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 1-a..... | \$ 30.01 | 23.20 |
| GROUP 1-c..... | \$ 29.84 | 23.20 |
| GROUP 1-e..... | \$ 30.34 | 23.20 |
| GROUP 1-f..... | \$ 29.37 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |
| GROUP 3..... | \$ 29.54 | 23.20 |
| GROUP 4..... | \$ 23.23 | 23.20 |

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS - AREA B:)

| | | |
|---|----------|-------|
| (1) New Construction..... | \$ 29.54 | 23.20 |
| (2) Establishment Warranty Period..... | \$ 23.23 | 23.20 |
| LABORER (GUNITE - AREA B:) | | |
| GROUP 1..... | \$ 29.75 | 22.31 |

| | | |
|------------------------------|----------|-------|
| GROUP 2..... | \$ 29.25 | 22.31 |
| GROUP 3..... | \$ 28.66 | 22.31 |
| GROUP 4..... | \$ 28.54 | 22.31 |
| LABORER (WRECKING - AREA B:) | | |
| GROUP 1..... | \$ 29.79 | 23.20 |
| GROUP 2..... | \$ 29.64 | 23.20 |

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in- place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and bucket; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types

(except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunitite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LAB01130-008 07/01/2021

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS & TUOLUMNE

| | Rates | Fringes |
|-----------------------|----------|---------|
| Plasterer tender..... | \$ 35.82 | 28.45 |

Work on a swing stage scaffold: \$1.00 per hour additional.

LAB01130-009 07/01/2021

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE COUNTIES

| | Rates | Fringes |
|-------------------------------|----------|---------|
| LABORER (Plaster Tender)..... | \$ 35.82 | 28.45 |

Work on a swing stage scaffold: \$1.00 per hour additional.

* PAIN0016-001 01/01/2023

ALAMEDA, CONTRA COSTA, MONTEREY, SAN BENITO, SAN MATEO, SANTA CLARA, AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|----------------|----------|---------|
| Painters:..... | \$ 47.42 | 27.28 |

PREMIUMS:

EXOTIC MATERIALS - \$1.25 additional per hour.

SPRAY WORK: - \$0.50 additional per hour.

INDUSTRIAL PAINTING - \$0.25 additional per hour
[Work on industrial buildings used for the manufacture and processing of goods for sale or service; steel construction (bridges), stacks, towers, tanks, and similar structures]

HIGH WORK:
over 50 feet - \$2.00 per hour additional
100 to 180 feet - \$4.00 per hour additional
Over 180 feet - \$6.00 per hour additional

PAIN0016-003 07/01/2022

AREA 1: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO & SANTA CLARA COUNTIES

AREA 2: CALAVERAS, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, STANISLAUS & TUOLUMNE COUNTIES

| | Rates | Fringes |
|------------------------|----------|---------|
| Drywall Finisher/Taper | | |
| AREA 1..... | \$ 57.16 | 30.24 |
| AREA 2..... | \$ 53.03 | 28.84 |

* PAIN0016-012 01/01/2023

ALAMEDA, CONTRA COSTA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLARA AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|-----------------------|----------|---------|
| SOFT FLOOR LAYER..... | \$ 55.25 | 32.63 |

* PAIN0016-015 01/01/2023

CALAVERAS, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS & TUOLUMNE COUNTIES

| | Rates | Fringes |
|------------|----------|---------|
| PAINTER | | |
| Brush..... | \$ 38.23 | 22.05 |

FOOTNOTES:
SPRAY/SANDBLAST: \$0.50 additional per hour.
EXOTIC MATERIALS: \$1.25 additional per hour.

HIGH TIME: Over 50 ft above ground or water level \$2.00 additional per hour. 100 to 180 ft above ground or water level \$4.00 additional per hour. Over 180 ft above ground or water level \$6.00 additional per hour.

PAIN0016-022 01/01/2022

SAN FRANCISCO COUNTY

| | Rates | Fringes |
|--------------|----------|---------|
| PAINTER..... | \$ 49.99 | 26.33 |

PAIN0169-001 06/01/2020

FRESNO, KINGS, MADERA, MARIPOSA AND MERCED COUNTIES:

| | Rates | Fringes |
|--------------|----------|---------|
| GLAZIER..... | \$ 40.00 | 26.76 |

PAIN0169-005 01/01/2023

ALAMEDA CONTRA COSTA, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLARA & SANTA CRUZ COUNTIES

| | Rates | Fringes |
|--------------|----------|---------|
| GLAZIER..... | \$ 55.77 | 32.45 |

PAIN0294-004 01/01/2021

FRESNO, KINGS AND MADERA COUNTIES

| | Rates | Fringes |
|-----------------------------|----------|---------|
| PAINTER | | |
| Brush, Roller..... | \$ 31.36 | 20.33 |
| Drywall Finisher/Taper..... | \$ 40.10 | 25.00 |

FOOTNOTE:

Spray Painters & Paperhangers receive \$1.00 additional per hour. Painters doing Drywall Patching receive \$1.25 additional per hour. Lead Abaters & Sandblasters receive \$1.50 additional per hour. High Time - over 30 feet (does not include work from a lift) \$0.75 per hour additional.

PAIN0294-005 08/01/2022

FRESNO, KINGS & MADERA

| | Rates | Fringes |
|-----------------------|----------|---------|
| SOFT FLOOR LAYER..... | \$ 37.12 | 22.10 |

PAIN0767-001 01/01/2023

CALAVERAS, SAN JOAQUIN, STANISLAUS AND TUOLUMNE COUNTIES:

| | Rates | Fringes |
|--------------|----------|---------|
| GLAZIER..... | \$ 43.15 | 33.72 |

PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day.

Employee required to wear a body harness shall receive \$1.50 per hour above the basic hourly rate at any elevation.

PAIN1176-001 07/01/2022

HIGHWAY IMPROVEMENT

| | Rates | Fringes |
|---------------------------------------|----------|---------|
| Parking Lot Striping/Highway Marking: | | |
| GROUP 1..... | \$ 40.83 | 17.62 |
| GROUP 2..... | \$ 34.71 | 17.62 |
| GROUP 3..... | \$ 35.11 | 17.62 |

CLASSIFICATIONS

GROUP 1: Striper: Layout and application of painted traffic stripes and marking; hot thermo plastic; tape, traffic stripes and markings

GROUP 2: Gamecourt & Playground Installer

GROUP 3: Protective Coating, Pavement Sealing

* PAIN1237-003 01/01/2023

CALAVERAS; SAN JOAQUIN COUNTIES; STANISLAUS AND TUOLUMNE

COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| SOFT FLOOR LAYER..... | \$ 46.24 | 25.96 |
| ----- | | |
| PLAS0066-002 07/01/2019 | | |

ALAMEDA, CONTRA COSTA, SAN MATEO AND SAN FRANCISCO COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| PLASTERER..... | \$ 42.41 | 30.73 |
| ----- | | |
| PLAS0300-001 07/01/2018 | | |

| | Rates | Fringes |
|--|----------|---------|
| PLASTERER | | |
| AREA 188: Fresno..... | \$ 32.70 | 31.68 |
| AREA 224: San Benito, Santa Clara, Santa Cruz..... | \$ 32.88 | 31.68 |
| AREA 295: Calaveras & San Joaquin Couonties..... | \$ 32.70 | 31.68 |
| AREA 337: Monterey County.. | \$ 32.88 | 31.68 |
| AREA 429: Mariposa, Merced, Stanislaus, Tuolumne Counties..... | \$ 32.70 | 31.68 |
| ----- | | |
| PLAS0300-005 07/01/2016 | | |

| | Rates | Fringes |
|-----------------------------------|----------|---------|
| CEMENT MASON/CONCRETE FINISHER... | \$ 32.15 | 23.27 |
| ----- | | |
| PLUM0038-001 07/01/2022 | | |

SAN FRANCISCO COUNTY

| | Rates | Fringes |
|---|----------|---------|
| PLUMBER (Plumber, Steamfitter, Refrigeration Fitter)..... | \$ 82.00 | 48.18 |
| ----- | | |
| PLUM0038-005 07/01/2022 | | |

SAN FRANCISCO COUNTY

| | Rates | Fringes |
|--|----------|---------|
| Landscape/Irrigation Fitter (Underground/Utility Fitter)..... | \$ 69.70 | 33.15 |
| ----- | | |
| PLUM0062-001 01/01/2023 | | |

MONTEREY AND SANTA CRUZ COUNTIES

| | Rates | Fringes |
|----------------------------|----------|---------|
| PLUMBER & STEAMFITTER..... | \$ 50.00 | 39.35 |
| ----- | | |
| PLUM0159-001 07/01/2022 | | |

CONTRA COSTA COUNTY

| | Rates | Fringes |
|-------------------------|----------|---------|
| Plumber and steamfitter | | |
| (1) Refrigeration..... | \$ 56.93 | 41.04 |
| (2) All other work..... | \$ 62.12 | 45.24 |
| ----- | | |
| PLUM0246-001 01/01/2023 | | |

FRESNO, KINGS & MADERA COUNTIES

| | Rates | Fringes |
|----------------------------|----------|---------|
| PLUMBER & STEAMFITTER..... | \$ 46.95 | 38.59 |
| ----- | | |
| * PLUM0246-004 01/01/2017 | | |

FRESNO, MERCED & SAN JOAQUIN COUNTIES

| | Rates | Fringes |
|-------------------------------|-------------|---------|
| PLUMBER (PIPE TRADESMAN)..... | \$ 13.00 ** | 10.74 |

PIPE TRADESMAN SCOPE OF WORK:

Installation of corrugated metal piping for drainage, as well as installation of corrugated metal piping for culverts in connection with storm sewers and drains; Grouting, dry packing and diapering of joints, holes or chases including paving over joints, in piping; Temporary piping for dirt work for building site preparation; Operating jack hammers, pavement breakers, chipping guns, concrete saws and spades to cut holes, chases and channels for piping systems; Digging, grading, backfilling and ground preparation for all types of pipe to all points of the jobsite; Ground

preparation including ground leveling, layout and planting of shrubbery, trees and ground cover, including watering, mowing, edging, pruning and fertilizing, the breaking of concrete, digging, backfilling and tamping for the preparation and completion of all work in connection with lawn sprinkler and landscaping; Loading, unloading and distributing materials at jobsite; Putting away materials in storage bins in jobsite secure storage area; Demolition of piping and fixtures for remodeling and additions; Setting up and tearing down work benches, ladders and job shacks; Clean-up and sweeping of jobsite; Pipe wrapping and waterproofing where tar or similar material is applied for protection of buried piping; Flagman

PLUM0342-001 07/01/2022

ALAMEDA & CONTRA COSTA COUNTIES

| | Rates | Fringes |
|-------------------------------------|----------|---------|
| PIPEFITTER | | |
| CONTRA COSTA COUNTY..... | \$ 72.00 | 45.70 |
| PLUMBER, PIPEFITTER, STEAMFITTER | | |
| ALAMEDA COUNTY..... | \$ 72.00 | 45.70 |

PLUM0355-004 07/01/2022

ALAMEDA, CALAVERAS, CONTRA COSTA, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, STANISLAUS, AND TUOLUMNE COUNTIES:

| | Rates | Fringes |
|--|----------|---------|
| Underground Utility Worker /Landscape Fitter..... | \$ 32.22 | 17.55 |

PLUM0393-001 07/01/2021

SAN BENITO AND SANTA CLARA COUNTIES

| | Rates | Fringes |
|-------------------------|----------|---------|
| PLUMBER/PIPEFITTER..... | \$ 68.76 | 46.63 |

PLUM0442-001 01/01/2023

CALAVERAS, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS & TUOLUMNE

COUNTIES

| | Rates | Fringes |
|----------------------------|----------|---------|
| PLUMBER & STEAMFITTER..... | \$ 50.75 | 35.14 |
| ----- | | |
| PLUM0467-001 07/01/2021 | | |

SAN MATEO COUNTY

| | Rates | Fringes |
|-----------------------------------|----------|---------|
| Plumber/Pipefitter/Steamfitter... | \$ 73.10 | 38.61 |
| ----- | | |
| ROOF0027-002 01/01/2023 | | |

FRESNO, KINGS, AND MADERA COUNTIES

| | Rates | Fringes |
|-------------|----------|---------|
| ROOFER..... | \$ 41.31 | 15.31 |

FOOTNOTE: Work with pitch, pitch base of pitch impregnated products or any material containing coal tar pitch, on any building old or new, where both asphalt and pitchers are used in the application of a built-up roof or tear off: \$2.00 per hour additional.

 ROOF0040-002 08/01/2022

SAN FRANCISCO & SAN MATEO COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| ROOFER..... | \$ 49.83 | 21.14 |
| ----- | | |
| ROOF0081-001 08/01/2022 | | |

ALAMEDA AND CONTRA COSTA COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| Roofer..... | \$ 50.27 | 20.66 |
| ----- | | |
| ROOF0081-004 08/01/2022 | | |

CALAVERAS, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS AND TUOLUMNE COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| ROOFER..... | \$ 43.13 | 19.71 |
| ----- | | |
| ROOF0095-002 08/01/2022 | | |

MONTEREY, SAN BENITO, SANTA CLARA, AND SANTA CRUZ COUNTIES:

| | Rates | Fringes |
|------------------------------|----------|---------|
| ROOFER | | |
| Bitumastic, Enameler, Coal | | |
| Tar, Pitch and Mastic | | |
| worker..... | \$ 55.16 | 20.82 |
| Journeyman..... | \$ 51.16 | 20.82 |
| Kettle person (2 kettles)... | \$ 53.16 | 20.82 |
| ----- | | |
| SFCA0483-001 01/01/2023 | | |

ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO AND SANTA CLARA COUNTIES:

| | Rates | Fringes |
|------------------------------|----------|---------|
| SPRINKLER FITTER (FIRE)..... | \$ 72.59 | 36.95 |
| ----- | | |
| SFCA0669-011 01/01/2023 | | |

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, STANISLAUS AND TUOLUMNE COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| SPRINKLER FITTER..... | \$ 42.30 | 27.25 |
| ----- | | |
| SHEE0104-001 07/01/2020 | | |

AREA 1: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO, SANTA CLARA

AREA 2: MONTEREY & SAN BENITO

AREA 3: SANTA CRUZ

| | Rates | Fringes |
|----------------------|----------|---------|
| SHEET METAL WORKER | | |
| AREA 1: | | |
| Mechanical Contracts | | |
| under \$200,000..... | \$ 55.92 | 45.29 |
| All Other Work..... | \$ 64.06 | 46.83 |
| AREA 2..... | \$ 52.90 | 36.44 |
| AREA 3..... | \$ 55.16 | 34.18 |

SHEE0104-003 07/01/2021

CALAVERAS AND SAN JOAQUIN COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| SHEET METAL WORKER..... | \$ 44.34 | 39.22 |

SHEE0104-005 07/01/2021

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES:

| | Rates | Fringes |
|--|----------|---------|
| SHEET METAL WORKER (Excluding metal deck and siding)..... | \$ 41.28 | 45.41 |

SHEE0104-007 07/01/2021

FRESNO, KINGS, AND MADERA COUNTIES:

| | Rates | Fringes |
|-------------------------|----------|---------|
| SHEET METAL WORKER..... | \$ 44.07 | 40.79 |

SHEE0104-015 07/01/2020

ALAMEDA, CONTRA COSTA, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLARA AND SANTA CRUZ COUNTIES:

| | Rates | Fringes |
|--|----------|---------|
| SHEET METAL WORKER (Metal Decking and Siding only)..... | \$ 44.45 | 35.55 |

SHEE0104-018 07/01/2020

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS AND TUOLUMNE COUNTIES:

| | Rates | Fringes |
|---|----------|---------|
| Sheet metal worker (Metal decking and siding only)..... | \$ 44.45 | 35.55 |
| ----- | | |
| TEAM0094-001 07/01/2022 | | |

| | Rates | Fringes |
|----------------|----------|---------|
| Truck drivers: | | |
| GROUP 1..... | \$ 36.95 | 31.14 |
| GROUP 2..... | \$ 37.25 | 31.14 |
| GROUP 3..... | \$ 37.55 | 31.14 |
| GROUP 4..... | \$ 37.90 | 31.14 |
| GROUP 5..... | \$ 38.25 | 31.14 |

FOOTNOTES:

Articulated dump truck; Bulk cement spreader (with or without auger); Dumpcrete truck; Skid truck (debris box); Dry pre-batch concrete mix trucks; Dumpster or similar type; Slurry truck: Use dump truck yardage rate.
 Heater planer; Asphalt burner; Scarifier burner; Industrial lift truck (mechanical tailgate); Utility and clean-up truck: Use appropriate rate for the power unit or the equipment utilized.

TRUCK DRIVER CLASSIFICATIONS

GROUP 1: Dump trucks, under 6 yds.; Single unit flat rack (2-axle unit); Nipper truck (when flat rack truck is used appropriate flat rack shall apply); Concrete pump truck (when flat rack truck is used appropriate flat rack shall apply); Concrete pump machine; Fork lift and lift jitneys; Fuel and/or grease truck driver or fuel person; Snow buggy; Steam cleaning; Bus or personhaul driver; Escort or pilot car driver; Pickup truck; Teamster oiler/greaser and/or serviceperson; Hook tender (including loading and unloading); Team driver; Tool room attendant (refineries)

GROUP 2: Dump trucks, 6 yds. and under 8 yds.; Transit mixers, through 10 yds.; Water trucks, under 7,000 gals.; Jetting trucks, under 7,000 gals.; Single-unit flat rack (3-axle unit); Highbed heavy duty transport; Scissor truck; Rubber-tired muck car (not self-loaded); Rubber-tired truck jumbo; Winch truck and "A" frame drivers; Combination winch truck with hoist; Road oil truck or bootperson; Buggymobile; Ross, Hyster and similar straddle carriers;

Small rubber-tired tractor

GROUP 3: Dump trucks, 8 yds. and including 24 yds.; Transit mixers, over 10 yds.; Water trucks, 7,000 gals. and over; Jetting trucks, 7,000 gals. and over; Vacuum trucks under 7500 gals. Trucks towing tilt bed or flat bed pull trailers; Lowbed heavy duty transport; Heavy duty transport tiller person; Self- propelled street sweeper with self-contained refuse bin; Boom truck - hydro-lift or Swedish type extension or retracting crane; P.B. or similar type self-loading truck; Tire repairperson; Combination bootperson and road oiler; Dry distribution truck (A bootperson when employed on such equipment, shall receive the rate specified for the classification of road oil trucks or bootperson); Ammonia nitrate distributor, driver and mixer; Snow Go and/or plow

GROUP 4: Dump trucks, over 25 yds. and under 65 yds.; Water pulls - DW 10's, 20's, 21's and other similar equipment when pulling Aqua/pak or water tank trailers; Helicopter pilots (when transporting men and materials); Lowbedk Heavy Duty Transport up to including 7 axles; DW10's, 20's, 21's and other similar Cat type, Terra Cobra, LeTourneau Pulls, Tournorocker, Euclid and similar type equipment when pulling fuel and/or grease tank trailers or other miscellaneous trailers; Vacuum Trucks 7500 gals and over and truck repairman

GROUP 5: Dump trucks, 65 yds. and over; Holland hauler; Low bed Heavy Duty Transport over 7 axles

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$16.20) or 13658 (\$12.15). Please see the Note at the top of the wage determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year.

Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at

<https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

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

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter

* a conformance (additional classification and rate) ruling

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

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

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

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

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

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

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

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

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

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END OF GENERAL DECISION"

SPECIAL CONTRACT REQUIREMENTS

The following Special Contract Requirements amend and supplement the *Standard Specifications for Construction of Roads and Bridges, on Federal Highway Projects (FP-14)*, U.S. Department of Transportation, Federal Highway Administration.

Section 101. — TERMS, FORMAT, AND DEFINITIONS

101.03 Abbreviations.

(a) Acronyms. Add the following:

EEBACS — Engineer’s Estimating, Bidding, Award, and Construction System
GSA – General Services Administration

(b) US Customary abbreviations and symbols. Delete the text and substitute the following:

| | | |
|--------------------------------------|----------------------------|--------------------|
| °F | — degrees Fahrenheit | temperature |
| A | — ampere | electric current |
| ac. | — acre | area |
| BTU | — British Thermal Unit | energy |
| cu. in. or in ³ | — cubic inches | volume |
| cu. ft., cf, ft ³ or CUFT | — cubic feet | volume |
| cu. yd., cy, yd ³ or CUYD | — cubic yards | volume |
| D | — day | time |
| deg. or ° | — degree | plane angle |
| Fc | — foot-candles | luminous intensity |
| fl. oz. | — fluid ounces | volume |
| ft. or ' | — foot or feet | length |
| gal. or GAL | — gallon | volume |
| H | — Henry | inductance |
| hr. or HR | — hour | time |
| Hz | — hertz (s ⁻¹) | frequency |
| in. or " | — inch or inches | length |
| K | — kelvin | temperature |
| lb or LB, lbs | — pound, pounds | mass |
| Lbf | — pound-force | force |
| lnft or LNFT | — linear foot | length |
| mi. | — miles | length |
| min. or m | — minute | time |
| min. or ' | — minute | plane angle |

| | | |
|--|------------------------|---------------------|
| oz. | — ounces | mass |
| Psi | — pounds/square inch | pressure |
| Q | — cubic feet/second | flow rate |
| sec. or s | — second | time |
| sec. or " | — second | plane angle |
| sq. in. or in² | — square inches | area |
| sq. ft., sf, ft² or SQFT | — square feet | area |
| sq. yd., sy, yd² or SQYD | — square yards | area |
| T | — short ton (2000 lbs) | mass |
| V | — volt (W/A) | electric potential |
| W | — watt (J/s) | power |
| yd or YD | — yard or yards | length |
| Ω | — ohm V/A | electric resistance |

(c) **Metric unit abbreviations and symbols.** Delete the text and substitute the following:

| | | |
|----------------------|---------------------------------|--------------------|
| A | — ampere | electric current |
| Cd | — candella | luminous intensity |
| °C | — degree Celsius | temperature |
| D | — day | time |
| deg. or ° | — degree | plane angle |
| g or gram | — gram | mass |
| H | — Henry | inductance |
| Ha | — hectare | area |
| hr. or HR | — hour | time |
| Hz | — hertz (s ⁻¹) | frequency |
| J | — Joule (N·m) | energy |
| K | — kelvin | temperature |
| Kg | — kilogram | mass |
| L | — liter | volume |
| Lx | — lux | illuminance |
| M | — meter | length |
| mm | — millimeter | length |
| m² | — meter squared | area |
| m³ | — cubic meter | volume |
| min. or m | — minute | time |
| min. or ' | — minute | plane angle |
| N | — Newton (kg·m/s ²) | force |
| Pa | — Pascal (N/m ²) | pressure |
| sec. or s | — second | time |
| sec. or " | — second | plane angle |
| T | — metric ton | Mass |
| V | — volt (W/A) | electric potential |

| | | |
|----------|--------------|---------------------|
| W | — watt (J/s) | Power |
| Ω | — ohm V/A | electric resistance |

101.04 Definitions.

Add the following:

EEBACS — Engineer’s Estimating, Bidding, Award, and Construction System. A web-based system used by the Government, Construction Contractors, and Subcontractors on this Government contract to prepare “*Inspector’s Daily Record of Construction Operations*” (*Contractors Daily Reports*) and measurement notes (pay notes and field measurement documentation).

Roadway Prism Delete the text and substitute the following:

Roadway Prism – The volume defined by the area between the original terrain cross-section and the final design cross-section multiplied by the horizontal distance between the centroids (geometric center) of the area.

Subcontractor Delete the text and substitute the following:

Subcontractor – An individual or legal entity with which the Contractor sublets part of the work. This includes subcontractors and material suppliers at any tier.

Section 103. — SCOPE OF WORK

103.01 Intent of Contract. Add the following:

Additional work on sites within or in the vicinity of the project may be requested by the CO. Such work generally will be in response to additional natural disasters and may include, but are not limited to, Nacimiento-Fergusson Road. Provide cost proposals and perform work as requested by the CO.

Section 105. — CONTROL OF MATERIAL

105.01 Source of Supply and Quality Requirements. Add the following:

Materials containing petroleum-based solvents such as cutback asphalts and traffic paints may be restricted from use by local laws or ordinances in certain geographic areas. Upon presenting proof of such restrictions, alternate materials considered acceptable to the CO may be substituted for the materials specified in the contract.

Add the following:

Certify, according to Subsection 107.10 (d)(2), that sources of rock, sand, gravel, earth, subsoil, or other natural material imported into the project construction limits are noxious weed free.

105.04 Storing and Handling Material. Add the following after the third sentence of the second paragraph:

For Contractor-located, non-commercial staging, storing, and material handling areas, secure environmental clearances according to Subsection 107.10.

Add the following:

The Contractor may use any closed portions of the roadway for staging and storage.

Use all products according to the manufacturer's recommendations for handling, storage, and disposal. Follow the requirements of FAR Clause 52.236-10 Operations and Storage Areas and FAR Clause 52.236-12 Cleaning Up. Maintain the staging and storage areas in a clean, neat, and orderly condition satisfactory to the CO.

Store construction materials within the limits indicated on the contract drawings. Properly store materials according to the applicable permit and the requirements in Section 107, 157, 203, 204, 624, and 625. Check the storage areas weekly and according to the applicable permit.

Store construction, building and waste materials, and containers in designated areas indoors or protect with a suitable covering.

Submit a site map showing the material storage and stockpile locations at least 14 calendar days prior to the start of construction activities.

Keep the manufacturer's MSDS, an inventory of the material, and emergency numbers near the storage area. Take appropriate measures to ensure that incompatible chemicals are not stored next to each other.

Section 106. — ACCEPTANCE OF WORK

106.01 Conformity with Contract Requirements. Delete (a) and (b) and substitute the following:

(a) Disputing Government test results. If the accuracy of Government test results is disputed, promptly inform the CO. If the dispute is unresolved after reasonable steps are taken to resolve the dispute, further evaluation may be obtained by written request. Include a narrative describing the dispute and a proposed resolution protocol that addresses the following:

- (1) Sampling method
- (2) Number of samples

- (3) Sample transport
- (4) Test procedures
- (5) Testing laboratories
- (6) Reporting
- (7) Estimated time and costs
- (8) Validation process

(b) Alternatives to removing and replacing non-conforming work. As an alternative to removal and replacement, the Contractor may submit a written request to:

- (1) Have the work accepted at a reduced price; or
- (2) Be given permission to perform corrective measures to bring the work into conformity.

The request must contain supporting rationale and documentation. Include references or data justifying the proposal based on an evaluation of test results, effect on service life, value of material or work, quality, aesthetics, and other tangible engineering basis. The CO will determine disposition of the nonconforming work.

Add the following after (b):

The number of significant figures used in the calculations will be according to ASTM E 29, absolute method.

Where sample/testing procedures make reference to AASHTO, ASTM, or other standards (designated as FLH T), the procedure as modified in the Materials Manual shall govern. Where the specifications make reference to AASHTO Test T11, “Procedure B - Washing Using a Wetting Agent” shall be the procedure followed.

Where the specifications make reference to AASHTO Test T310, “Direct Transmission Method of In-Place Nuclear Density and Moisture Content” shall be the procedure followed.

106.02 Visual Inspection. Delete the Subsection and substitute the following:

106.02 Visual Inspection. Acceptance is based on visual inspection of the work for compliance with the contract requirements. In the absence of specific contract requirements or tolerances, use prevailing industry standards.

106.03 Certification. Add the following after the second paragraph:

See Table 106-3 for schedule for full or partial acceptance by material certification. Submit certification and sample of material for testing as required.

Delete the third paragraph and substitute the following:

Check certifications before incorporating the material into the work to ensure that the requirements of the contract have been met. Mark the certifications with the following information:

- Project number and name;
- Pay item number and description;
- Contractor signed certification stating “to the best of our knowledge the materials certified by the attached certification represent the materials incorporated into the work of this contract”; and
- Date.

Table 106-3 Schedule For Full or Partial Acceptance by Materials Certification. Add Table 106-3 following Table 106-2.

**Table 106-3
Schedule For Full or Partial Acceptance by Materials Certification**

| Section | Description | Material | Material Property Or Specification | Frequency | |
|-------------|--|--|--|----------------|----------------|
| | | | | Certification | Sample |
| 302 | Minor Crushed Aggregate | Crushed Aggregate | Source, Quality and Gradation | 1 per source | 1 per source |
| 312 | Dust Palliative | Calcium Chloride Magnesium Chloride, Lignosulfonate, | As specified | 1 per shipment | First shipment |
| 403 | Asphalt Concrete | Aggregate Asphalt Mix | Source quality, Gradation, Stability, and Grade | 1 per mix | 1 per source |
| 634 and 635 | Permanent Pavement Markings, Temporary Traffic Control | 634.02 as applicable, 635 as applicable | As specified | 1 per source | ----- |
| 701 | Hydraulic Cement | Portland Cement, Blended Hydraulic Cement, Masonry and Mortar Cement | AASHTO M 85, M 240, ASTM C 91 and ASTM C1392 as applicable | 1 per shipment | 1 per 100 tons |
| 702.01 | Asphalt Material | Asphalt Cement | AASHTO M 226 or M 320, as applicable | 1 per shipment | 1 per shipment |
| 702.02 | Asphalt Material | Emulsified Asphalt | AASHTO M 140 or M 208 as applicable | 1 per shipment | 1 per shipment |
| 702.03 | Asphalt Material | Asphalt Materials used for Damproofing and Waterproofing | As specified for each type of asphalt material | 1 per shipment | ----- |

| Section | Description | Material | Material Property Or Specification | Frequency | |
|---------|--|----------------------------------|---------------------------------------|---|---|
| | | | | Certification | Sample |
| | | Concrete and Masonry Surfaces | | | |
| 702.05 | Antistrip | As specified | As applicable | 1 per shipment | ----- |
| 706 | Concrete and Plastic Pipe | As specified | As applicable | 1 per shipment | ----- |
| 707 | Metal Pipe | As specified | As applicable | 1 per shipment | ----- |
| 708 | Plastic Pipe | As specified | As applicable | 1 per shipment | ----- |
| 709 | Reinforcing and Prestressing Steel | As specified | As applicable | 1 per shipment | For 709.01 submit 3, 1- yard (1-meter) bars of each size and grade of bar furnished. 709.02 submit 1 6-foot (2- meter) length for each size furnished |
| 710 | Fence and Guardrail | As specified | As applicable | 1 per shipment | ----- |
| 711 | Concrete Curing Material and Admixtures | As specified | As applicable | 1 per material source per material type | ----- |
| 712 | Joint Material (all) | As specified | As applicable | 1 per shipment | ----- |
| 713 | Roadside Improvement Materials (all) | As specified | As applicable | 1 per shipment | ----- |
| 714 | Geosynthetic Material (all) | As specified | As applicable | 1 per shipment | 1 per project per type |
| 715 | Piling | As specified | As applicable | 1 per shipment | ----- |
| 716 | Material for Timber Structures | Timber and Hardware | As applicable | 1 per shipment | ----- |
| 717 | Structural Metal | As specified | As applicable | 1 per shipment | 717.01(e) minimum 6 per shipment for each size used. 717.10 1 per project |
| 718 | Traffic Signing and Marking Material (all) | As specified | As applicable | 1 per shipment | ----- |
| 719 | Paint | As specified | As applicable | 1 per batch\lot | 1 sample for quantities |

| Section | Description | Material | Material Property Or Specification | Frequency | |
|---------|---|--------------|---------------------------------------|--|------------------------|
| | | | | Certification | Sample |
| | | | | | > 25 gallons (100L) |
| 720 | Structural Wall and Stabilized Embankment Material (all) | As specified | As applicable | 1 per shipment per material type | ----- |
| 721 | Electrical and Illumination Material (all) | As specified | As applicable | 1 per shipment per material type | ----- |
| 722 | Anchor Material | As specified | As applicable | 1 per shipment per material type | ----- |
| 725 | Miscellaneous materials | As specified | As applicable | 1 per shipment per material type | ----- |

Section 107. — LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC

107.01 Laws to be Observed. Add the following:

Section 401 and 404 of the Clean Water Act.

Comply with the terms and conditions of any permits that authorize the discharge of dredged or fill material in waters of the U.S., including Section 404 permits and Section 401 water quality certifications.

<https://www.spk.usace.army.mil/Portals/12/documents/regulatory/nwp/2021-nwps/NWP-Info-Sheets/2021-NWP-14.pdf>

National Pollutant Discharge Elimination System (NPDES)

Comply with the requirements of California Construction General Permit (CGP); Permit No. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.html

This permit expired on 9/2/2014 but has been administratively extended pending issuance of a new general permit. Amend the SWPPP and site plan when a new permit goes into effect to meet new permit conditions.

Allow 7 days after the receipt of payment for coverage to become effective.

(a) General. Designate a qualified Erosion Control Supervisor according to Subsection 157.03.

Obtain a separate NPDES permit associated with industrial activity for any mobile asphalt and concrete plants that provide material for the project. Provide a copy of the permit and acknowledgement letter to the CO for their records.

(b) Notice of Intent (NOI). The Government will file a NOI once the SWPPP is approved and provide that information to the Contractor for inclusion in the SWPPP. Do not perform any ground disturbing activities including clearing, grubbing, or earthwork until an acknowledgement letter is received from the regulatory agency and best management practices have been installed.

Post all project authorization numbers near the entrance to the site and on the bulletin board.

(c) Payment of Permit Fees. Submit the appropriate permit fee to the regulatory agency once the Government submits the NOI.

107.02 Protection and Restoration of Property and Landscape.

Add the following at the end of this subsection:

There are no known utilities within the project limits.

107.05 Responsibility for Damage Claims. Delete the first sentence of the third paragraph and substitute the following:

Before work begins, submit “*certificates of insurance*” certifying that the policies will not be changed or canceled until 30 days written notice has been given to the Government.

107.10 Environmental Protection.

(a) Federal Water Pollution Control Act (Clean Water Act) 33 USC § 1251 et seq. Add the following:

- (4) Do not ford running streams with construction equipment. Obtain approval from the CO to use temporary bridges or other structures whenever crossings are necessary.
- (5) Immediately clear ephemeral drainages, intermittent and perennial streams, lakes and reservoirs of all work items, debris or other obstructions placed by or resulting from construction operations.
- (6) Locate machinery servicing and refueling areas away from streambeds and washes to reduce the possibility and minimize the impacts of accidental spills or discharges.

(b) Oil and hazardous substances. Add the following to the end of the third paragraph:

Sand or soils are not approved absorbent materials.

Add the following to the end of the fourth paragraph:

Report the spill to the appropriate federal, state, and local authorities as required by the SPCC plan or hazardous spill plan.

(c) Dirt, plant, and foreign material. Add the following:

All vehicles and equipment entering the project area must be clean of noxious weeds and free from oil leaks and are subject to inspection. Wash all construction equipment to thoroughly remove all dirt, plant, and other foreign material prior to entering the project. Particular attention must be shown to the under carriage and any surface where soil containing exotic seeds may exist. Allow the CO to inspect each piece of equipment before entering the project. Provide the cleaning and inspection records to the CO. Equipment found operating on the project that has not been inspected or has oil leaks will be shut down and subject to citation.

(d) Clearances for Contractor-selected, noncommercial areas. Add the following to the end of the first paragraph:

Use rock, sand, gravel, earth, subsoil, or other natural materials from a Contractor-selected non-commercial materials source that has been certified free of noxious weeds. Materials imported into the project limits which do not include a noxious weed free certification may be rejected and ordered by the CO to be removed from the project limits. The CO has the discretion of requesting inspection of certified materials by a third party and rejecting the use of the source if noxious weeds or seeds thereof are found to be present.

Add the following:

(5) Any required Certifications.

Add the following:

(e) Project-specific commitments.

(1) Hire one or more biologists according to Subsection 623.05 to provide technical support as described below.

(2) Prepare training materials for worker awareness training about sensitive plant and wildlife species that could be found in the area, as well as approved condor hazing measures, and submit to the CO for review. Participate in a training presentation by the biologist prior to initiating any on-site work. Ensure all staff working on-site attend a training (may require multiple presentations) and sign a log confirming receipt of training and the date received. Provide a copy of the log to the CO.

(3) Conduct pre-construction surveys in the clearing limits before work at each repair site begins according to the following:

- Nesting bird surveys are required at the repair sites where work is scheduled between March 15 and July 31 within 1 week before work starts (multiple visits may be necessary to ensure appropriate timing). If active nests are observed,

notify the CO and coordinate on additional protection measures (e.g., delaying work or vegetation removal until nest is no longer active).

- Surveys for host, or other, plants associated with Smith’s blue butterfly and Monarch butterfly and Forest Service sensitive species should be scheduled during the appropriate plant blooming periods if feasible before work at the repair sites begins, otherwise conduct them within 2 weeks before starting the work. If any of the above plants are observed in the clearing limits, notify the CO and coordinate on avoidance measures if feasible, including flagging areas to avoid.

(4) Submit a report documenting the methodology and results of the surveys to the CO within 1 week after completion of surveys. Provide interim results of positive observations immediately after surveys via email or phone.

(5) Do not disturb, damage, or remove any milkweed or buckwheat plants unless authorized by the CO. These plants have been documented near repair sites 12 and 16 and noted on the design plans as environmentally sensitive areas. At the discretion of the CO, install exclusionary fencing around or clearly mark with stakes, flags, or other methods the environmentally sensitive area for avoidance. If removal of buckwheat plants is required and authorized by the CO, remove and relocate it by cutting at the base and placing it near other buckwheat plants, but not on top of them, and outside the clearing limits. Also collect duff around the plants and scatter it in a thin layer on the ground around, but not directly under, living buckwheat plants outside the clearing limits. Maintain a count of how many buckwheat plants are removed and report that to the CO.

(6) Do not disturb California condors if observed in or near the repair sites. Immediately stop work if a condor is observed and notify the CO. Upon authorization from the CO, either allow the bird to leave the area on its own or encourage the bird to leave using non-injuring hazing measures as approved by the U.S. Fish and Wildlife Service, which includes yelling, clapping, stomping, the use of leashed barking dogs, and the use of low pressure water hoses.

(7) Provide additional on-call support, such as monitoring active nest sites or recording locations and amounts of protected or sensitive plants that require removal, in coordination with the CO. Submit a report of additional biological support that was provided to the CO by the end of the construction period.

107.11 Protection of Forests, Parks, and Public Lands. Add the following:

The fire prevention plan involving emergency curtailment of operations is included in the Appendix and is in effect on this project. The CO will order the suspension of operations when conditions are unsafe as determined by the CO and the land management agency.

Section 108. — PROSECUTION AND PROGRESS

108.01 Commencement, Prosecution, and Completion of Work. Add the following:

Limit operations according to Subsection 107.10(e) and Section 156.

Limit operations as follows:

(a) Restrict major ground disturbing activities to the dry season, which is defined as April 1 - December 15 of each year. This restriction does not include work that can be done without major ground disturbing activities, including the following items:

- Minor culverts, where the required excavation is less than 5-ft in depth, including headwalls, inlets, outlets, and riprap.
- Other activities that do not require major ground disturbing activities as approved by the CO.

All activities performed between December 15 and April 1 must be approved by the CO. All requests for work to be performed during this period must be accompanied by an approved, updated construction schedule.

(b) Nacimiento-Fergusson Road and the detour (Coastal Ridge Trail Road/Los Burros Road) is closed to public traffic and will remain closed throughout construction. Local residents have access to the project area and existing closure gates that is coordinated by the Los Padres National Forest. Residential traffic counts are estimated to be less than 10 vehicles per day. Maintain resident access to Coastal Ridge Trail Road at all times.

(c) Limit full roadway closures to only the western segment. Do not have concurrent construction closures (full or temporary) on both western and eastern segments. The eastern segment is defined as eastbound from the Coastal Ridge Trail Road thru all eastern repairs sites. The western segment is defined as westbound from the Coastal Ridge Trail Road through all western repair sites.

(d) Perform no work at Sites 2 and 3 between February 1 and August 15.

Perform no work except to maintain traffic control devices, erosion control devices, the roadway driving surface, and to control dust during the listed Federal holidays and surrounding days as shown in Table 108-2.

Table 108-2
Federal Holidays and Surrounding Days

| Federal Holiday | Time | Remarks |
|------------------|--------------------------------------|---|
| Memorial Day | 12:00 Noon Friday to 6:00 am Tuesday | - |
| Juneteenth | 6:00 pm June 18 to 6:00 am June 20 | |
| Independence Day | 6:00 pm July 3 to 6:00 am July 5 | If July 4 falls on a weekend, Friday, or Monday, do not work the weekend. |

| | | |
|---------------------------|--|--|
| Labor Day | 6:00 pm Friday to 6:00 am Tuesday | - |
| Thanksgiving | 6:00 pm Wednesday to 6:00 am Monday | - |
| Christmas / New Year's | 6:00 pm December 23 to 6:00 am January 2 | If December 23 or January 1 falls on a Monday, do not work the adjacent weekend and do not work on December 23. If January 1 falls on a Friday, do not work the weekend. |

Schedule at least 2 non-work days out of every 14 calendar days. The selected non-work days do not need to be consecutive, but they must be scheduled. Notify the CO at least 2 weeks before changing the scheduled days off.

The CO may grant written approval for exemptions to scheduled days off for specific project operations and for periods of limited duration.

Add the following:

The CO will issue a Notice to Proceed before commencement of any work. The contract completion date is December 15, 2023.

Add the following:

Use the Government's web-based system, *Engineer's Estimating, Bidding, Award, and Construction System (EEBACS)*, to prepare all "*Inspector's Daily Record of Construction Operations*" (*Contractors Daily Reports*) and measurement notes (pay notes and field measurement documentation).

Attend a training session on the use of EEBACS. The training session will require up to 4 hours. No more than 3 Contractor staff may attend the training unless approved by the CO. The Contractor shall be responsible for training additional staff.

Complete and electronically submit "*EEBACS User Account Form*" (Form EEBACS-001) for each individual requiring EEBACS access. Submit forms to the CO at the preconstruction conference or at least 10 days prior to the start of any contract work or EEBACS training. As needed, request additional system access using Form EEBACS-001 and allow 7 days for system access.

Maintain active EEBACS accounts for all contractor staff who use EEBACS and ensure that the CO is notified within 24 hours after an account holder is reassigned or no longer employed by the Contractor. Within 24 hours after an account holder is reassigned or no longer employed by the Contractor, submit an EEBACS-001 form requesting that the account be disabled.

The electronic version of EEBACS-001 is available at:

<https://highways.dot.gov/federal-lands/estimates/forms>

108.02 Subcontracting. Delete the third paragraph and substitute the following:

Within 14 days of subcontract award, submit a completed SF 1413 and 1413S. Complete Part I for each Subcontractor and include Part II when the Subcontractor performs on-site work. Complete other forms that may be required by the Government to show the work subcontracted and the total dollar amount of the subcontract. Submit the above required information for each Subcontractor at lower tiers.

108.04 Failure to Complete Work on Time.

Delete Table 108-1 and substitute the following:

Table 108-1
Charge for Liquidated Damages for Each Day
Work Is Not Substantially Completed

| Original Contract Price | | Daily Charge |
|-------------------------|-----------------------|-----------------|
| From More Than — | To and Including — | |
| \$ 0 | \$ 1,000,000 | \$ 1,600 |
| \$ 1,000,000 | \$ 2,000,000 | \$ 2,400 |
| \$ 2,000,000 | \$ 5,000,000 | \$ 4,100 |
| \$ 5,000,000 | \$ 10,000,000 | \$ 5,600 |
| \$ 10,000,000 | and more | \$ 6,500 |

Section 109. — MEASUREMENT AND PAYMENT

109.01 Measurement of Work. Add the following after the sixth paragraph:

Prepare, sign, and submit electronic measurement notes (pay notes and supporting field documentation) using EEBACS. Measurement notes will be reviewed by the CO. Unacceptable measurement notes will be electronically rejected and returned. Correct rejected measurement notes and resubmit electronically.

109.02 Measurement Terms and Definitions.

(c) Cubic yard (Cubic meter).

(1) Cubic yard (Cubic meter) in-place. Delete this subsection and substitute the following:

Measure the solid volumes by a method approved by the CO, or by a surface to surface method approved by the CO.

(o) Square foot and Square yard (Square meter). Add the following: Do not measure overlaps.

109.08 Progress Payments.

(a) General. Delete the last sentence and substitute the following:

The CO may withhold partial progress payment according to Subsection 109.08 (g) for failure to make satisfactory progress until a construction schedule or schedule update is approved by the CO.

(b) Closing date and invoice submittal date. Delete the text and substitute the following:

Submit invoices to the designated billing office by the 7th day after the closing date. Invoices received by the designated billing office after the 16th day following the closing date will not be accepted for payment processing that month. Include late, unprocessed invoice submittals in the following months invoice.

(d) Government's receiving report. Delete the first sentence and substitute the following:

The Government's receiving report will be developed using the measurements and quantities from Pay Notes received by the CO in EEBACS and determined acceptable.

(e) Processing progress payment requests.

(1) Proper invoices. Delete the title and text and substitute the following:

(1) Invoices received by the 7th day following the closing date.

(a) Proper invoices. If the invoice meets the requirements of Subsection 109.08(c), and the quantities and unit prices shown on the Contractor's invoice agree with the corresponding quantities and unit prices shown on the Government's receiving report, the invoice will be paid.

(b) Defective invoices. If the invoice does not meet the requirements of Subsection 109.08(c), or if any of the quantities or unit prices shown on the Contractor's invoice exceed the corresponding quantities and unit prices shown on the Government's receiving report, the invoice will be deemed defective and the Contractor so notified according to FAR Clause 52.232-27(a)(2). Defective invoices will not be corrected

by the Government and will be returned to the Contractor within 7 days after the Government's designated billing office receives the invoice.

Revise and resubmit returned invoices by the 18th day following the closing date. The CO will evaluate the revised invoice. If the invoice still does not meet the requirements of Subsection 109.08(c), the Contractor will be so notified according to FAR Clause 52.232-27(a)(2), and no progress payment will be made that month. Correct the deficiencies and resubmit the invoice the following month.

If the revised invoice meets the requirements of Subsection 109.08(c), but still had quantities or unit prices exceeding the corresponding quantities and unit prices shown on the Government's receiving report, the Government's data for that item or work will be used. The Contractor's invoice, as revised by the Government's receiving report, will be forwarded for processing by the 23rd day following the closing date. The Contractor will be notified by the 23rd day following the closing date of the reasons for any changes to the invoice.

(2) Defective invoices. Delete the title and text and substitute the following:

(2) Invoices received between the 8th and 16th day following the closing date.

(a) Proper invoices. If the invoice meets the requirements of Subsection 109.08(c), and the quantities and unit prices shown on the Contractor's invoice agree with the corresponding quantities and unit prices shown on the CO's receiving report, the invoice will be deemed proper and forwarded for processing within 7 days of receipt.

(b) Defective invoices. If the invoice does not meet the requirements of Subsection 109.08(c), the invoice will be deemed defective, the Contractor so notified according to FAR Clause 52.232-27(a)(2), and no progress payment will be made that month. Correct the deficiencies and resubmit the invoice the following month.

If the invoice meets the requirements of Subsection 109.08(c), but has quantities or unit prices exceeding the corresponding quantities and unit prices shown on the Government's receiving report, the Government's data for that item of work will be used. The Contractor's invoice, as revised by the Government's receiving report, will be forwarded for processing within 7 days of the Government's receipt of the invoice. The Contractor will be notified of the reasons for any changes to the invoice.

(f) Partial payments. Delete the subsection and substitute the following:

(f) Partial payments. Progress payments may include partial payment for material to be incorporated in the work according to FAR Clause 52.232-5(b)(2), provided the material meets the requirements of the contract and is delivered on, or in the vicinity of, the project site or stored in acceptable storage places.

Partial payments for stockpiled manufactured material (aggregates) will be based on Contractor process control test results. If test results show the material to be out-of-

specification, or in “reject” where statistical evaluation procedures are used, no payment for stockpiled materials will be made.

Partial payment for material does not constitute acceptance of such material for use in completing items of work. Partial payments will not be made for living or perishable material until incorporated into the project.

Individual and cumulative partial payments for preparatory work and material will not exceed the lesser of:

- (1) 80 percent of the contract bid price for the item; or
- (2) 100 percent of amount supported by copies of invoices submitted.

The quantity paid will not exceed the corresponding quantity estimated in the contract. The CO may adjust partial payments as necessary to protect the Government.

Section 152. — CONSTRUCTION SURVEY AND STAKING

Construction Requirements

152.01 Add the following to the first paragraph:

This work consists of performing the surveying required for repairing the roadway, replacing or installing culverts, and installing MSE walls.

152.04 General. Add the following to the second paragraph:

The Government will establish basic survey control points for vertical and horizontal control of the project.

The Government will furnish the following:

- (1) 3D coordinates and offset distance from centerline for subgrade and surface course finishing stakes at 10-foot (20-meter) intervals and miscellaneous intermediate stations.
- (2) Slope stake data containing centerline grade and slope staking information at 10-foot (20-meter) station intervals and miscellaneous intermediate stations.
- (3) Computer listings containing: horizontal alignment, vertical alignment, earthwork quantities, and staking details showing superelevation template data and slope information.

Perform additional conversions and calculations as necessary for convenient use of Government-furnished data. The Contractor is responsible for the accuracy of all information converted from

the Government-furnished data. Provide immediate notification of apparent errors in the furnished data.

Delete the last sentence of the fourth paragraph from the bottom of the subsection and substitute the following:

Reestablish missing control points and stakes before slope staking begins.

152.05 Survey and Staking Requirements.

(d) Slope and references stakes.

(2) Conventional survey methods. Add the following:

When the centerline curve radius is less than or equal to 250 feet (75 meters), use a maximum longitudinal spacing between stakes of 25 feet (8 meters). When the centerline is on a tangent or the curve radius is greater than 250 feet (75 meters), use a maximum longitudinal spacing between stakes of 50 feet (15 meters).

(f) Grade-finishing stakes. Delete both paragraphs under (1) AMG method.

(g) Culverts. Delete the text and substitute the following:

Verify and set culvert locations at the inlet, outlet, and inlet basin points according to the plans. Plot the centerline of the proposed culvert at a 1:20 scale. Show the natural ground, the flow line, the roadway section, and the culvert including end treatments and other appurtenances. Provide the elevations, grade, culvert length, degree of elbow, catch points, and hinge points on the plot.

Perform the following if the culvert design shown in the plans does not fit field conditions, when the CO requires adjustment to a culvert location, or when a culvert design isn't provided for a new culvert, culvert replacement, or culvert extension:

- (1)** Recommend a revised culvert location and alignment if needed.
- (2)** Survey and record the ground profile along the culvert centerline;
- (3)** Determine the slope catch points at the inlet and outlet;
- (4)** Set reference points and record information necessary to determine culvert length and end treatments;
- (5)** Plot to scale the profile along the culvert centerline. Show the natural ground, the flow line, the roadway section, and the culvert including end treatments and other appurtenances. Show elevations, grade, culvert length, and degree of elbow.

- (a) For single skewed culverts, submit a plotted field-design cross-section normal to roadway centerline and at each end section. Plot the offset and elevation of natural ground at the end section and at proposed template break points between centerline and the end section. Ensure the template design embankment slope is not exceeded;
- (b) For multiple skewed culverts, submit a plotted field design cross-section normal to roadway centerline and at the end sections (left and right) nearest to the shoulder. Plot the offset and elevation of natural ground at the end section and at proposed template break points between centerline and the end section. Ensure the template design embankment slope is not exceeded;
- (c) Submit the plotted field-design cross-section for approval of final culvert length and alignment. Plot at a clear and readable scale;
- (d) Set inlet, outlet, and reference stakes when the field design has been approved. Stake inlet and outlet ditches to make sure the culvert and end treatments (such as drop inlets) are functional; and
- (e) Adjust slope, reference, and clearing stakes as necessary to provide for culvert inlet treatments in cut slopes. Readjust slope, reference, and clearing stakes as necessary when culvert inlets are moved from their plan locations. Review slope adjustments with the CO and obtain approval.

(i) Retaining walls and reinforced soil slopes. Delete the Subsection and substitute the following:

(i) Retaining walls. Survey and record profile measurements along the face of the proposed wall at 5 feet (1.5 meters), 10 feet (3 meters), and in front of the wall face. Take cross-sections every 25 feet (8 meters) along the length of the wall and at major breaks in terrain within the limits designated by the CO. Measure and record points every 25 feet (8 meters) and at major breaks in terrain for each cross-section. Set additional references and control points to perform the work.

Measurement

152.07 Delete the third paragraph and substitute the following:

Do not measure miscellaneous survey and staking.

152.07 Add the following to the fourth paragraph:

Reestablishing missing control points and stakes will be measured under Special labor, Hired survey services when it is paid by the hour.

Section 153. — CONTRACTOR QUALITY CONTROL**Description****153.01** Add the following:

This work also consists of using EEBACS to prepare electronic “*Inspector’s Daily Record of Construction Operations*” (*Contractors Daily Reports*) and measurement notes (pay notes), including entering labor, equipment, subcontractors, and inspection records into the system.

Construction Requirements**153.02 Qualifications.**

(a) Quality Control Manager (QCM). Delete the first sentence and substitute for the following:

Provide a QCM according to (1) below.

(a)(1) Full-time, on-site QCM. Delete subsections (a) and (b) and substitute the following:

(a) Four years of experience managing quality control on highway construction projects of similar type and scope, and

(b) National Institute for Certification in Engineering Technologies (NICET) Level III certification, or equivalent, in highway construction or highway material.

153.03 Quality Control Plan (QCP).**(b) Quality control procedures**

(2) Add the following: List the material to be tested by pay item, tests to be conducted, the location of sampling, and the frequency of testing.

Add the following:

(d) Subcontractors and suppliers. Include the work of all subcontractors. If a subcontractor is to perform work under this Section, explain how the subcontractor’s inspection plan will interface with the Prime Contractor first tier subcontractors and lower tier subcontractors and organizations, and the CO. Include the work of major suppliers and suppliers of structural and geotechnical services and materials.

Add the following:

Modifications or additions may be required to any part of the plan that is not adequately covered. Acceptance of the quality control plan will be based on the inclusion of the required information. Acceptance does not imply any warranty by the Government that the plan will result in consistent

contract compliance. It remains the responsibility of the Contractor to demonstrate such compliance.

153.04 Prosecution of Work. Delete this Subsection and substitute the following:

Address each of the subjects shown for each phase of construction:

(a) Preparatory phase.

- (1) In a preparatory phase meeting, review the contract requirements for the work; the process for constructing the work; and the plan for inspecting, testing, measuring, and reporting the work. Include the project superintendent, the quality control manager (QCM), the foreman for the work to be performed, and the CO in the meeting. Schedule and conduct a preparatory meeting for each type of work to be performed at least one week prior to beginning the work.
- (2) Review and coordinate certifications, submittals, plans, drawings, and permits.
- (3) Verify the capabilities of equipment, material, and personnel. Provide training as necessary.
- (4) Establish a detailed testing schedule based on the production schedule.
- (5) Ensure preparatory testing and inspection is accomplished.
- (6) Review accuracy of the surveying and staking.

(b) Start-up phase.

- (1) In a start-up phase meeting, review the contract requirements and the processes for constructing the work with the personnel who will be performing the work. Invite the CO, project superintendent, QCM, testers, and inspectors of the work being performed, and the personnel directly supervising and performing the work. Review the planned testing, inspection, and reporting requirements with the quality control personnel responsible for the testing and inspection. Explain the reporting procedures to be used when defective work is identified. Conduct a start-up meeting for each type of work to be performed upon beginning the work.
- (2) Inspect, test, and report start-up work according to the QCP and ensure the work conforms to the contract.

(c) Production phase.

- (1) Inspect, test, and report according to the QCP and evaluate the acceptability of the work produced.
- (2) Identify and correct deficiencies.
- (3) Request Government inspection and acceptance.
- (4) Provide feedback on processes and deficiencies. Identify root causes of deficiencies

and make timely and effective changes to work processes to prevent repeated deficiencies.

(d) Construction progress meeting.

(1) Schedule and facilitate a weekly construction progress meeting. Invite the CO, project superintendent, QCM, and any other personnel directly supervising or managing the project. At a minimum, discuss the Working Schedule according to Subsection 155.06(f).

153.05 Sampling and Testing. Delete the text and substitute the following:

153.05 Sampling and Testing.

Perform sampling and testing required by the accepted QCP. As a minimum perform process control testing according to the Sampling, Testing and Acceptance Requirements tables at the end of each Section where applicable. Where no minimums are specified, submit proposed tests to be performed and the proposed sampling and testing frequencies.

(a) Sample splitting. Schedules and times or locations for obtaining on-site split samples for Government use will be provided by the CO using a procedure for random sampling. Sample any material that appears defective or inconsistent with similar material being produced, unless such material is voluntarily removed and replaced or otherwise corrected according to Subsection 106.01

(b) Testing. Furnish a laboratory equipped with all test equipment necessary to satisfy the requirements of the contract. Ensure test equipment has been checked, calibrated, standardized and/or otherwise verified in accordance with AASHTO and ASTM standards by an individual qualified to perform the work. Perform an equipment inspection after the laboratory has been moved to its permanent location on the project site, and anytime it is moved thereafter. Inspect equipment within 45 days of actual use for project testing, and at least once a year thereafter. Do not use equipment that has not been inspected or is found to be deficient. Mark deficient equipment and take it out-of-service until repaired or replaced and shown by subsequent inspection to perform as required. Maintain records documenting laboratory equipment inspections. Provide certification(s) stating the equipment conforms to testing requirements and provide evidence of current inspection. Keep laboratory facilities clean and maintain equipment in proper working condition. Allow the CO unrestricted access to the laboratory for inspection and review.

The CO may require a demonstration of proficiency in sampling and testing capabilities. One or more proficiency samples may be provided by the Government to verify basic qualifications. Provide the results of the proficiency samples to the CO within 48 hours of receipt of the material.

153.06 Certifications. Delete the text and substitute the following:

For materials or work accepted by certification according to Subsection 106.03, review all certifications to ensure compliance with the requirements of the contract prior to incorporating

materials into the work and provide a signed copy of the reviewed certification(s) to the CO. According to FAR Subpart 46.407, materials or work without proper certification will be rejected in writing, and payment for such material or work will be withheld until proper certification has been provided to the CO.

153.07 Records and Control Charts. Delete the first sentence and substitute the following:

Maintain complete testing and inspection records by pay item number and make them accessible to the CO.

(a) Quality control and construction operations reports. Delete the text and substitute the following:

For each day of the contract, prepare an “*Inspector’s Daily Record of Construction Operations*” (*Contractors Daily Reports (CDR)*) using EEBACS. Enter initial data for Labor/Equipment and Subcontractors prior beginning any work. Maintain and update the Labor/Equipment and Subcontractors data to reflect ongoing changes as they occur. Report operations or items of work separately, with manpower and equipment assigned to each operation separately. Detail inspection results, including deficiencies observed and corrective actions taken. Complete a CDR for each contractor and subcontractor working that day.

When submitting test results on material being incorporated into the work, report test results within the reporting times indicated in the sampling and testing requirements at the end of each section or as specified in the contract.

Enter the following data into EEBACS:

(1) Subcontractors data.

(2) Labor/Equipment.

(a) All manpower and equipment, including contractor and subcontractors. Complete all data fields.

(b) Labor: Type/classification, move-in date, move-out date, hourly rate, the contractor or subcontractor, and name.

(c) Equipment: Type/classification, move-in date, move-out date, make, model, and year of equipment manufacture.

Certify all CDR’s using the following statement:

“I certify that the information contained in this record is accurate and that work documented herein complies with the contract. Exceptions to this certification are documented as a part of this record.”

Submit certified CDR's that have been signed by a person who has both responsibility for the inspection system and signature authority.

Submit the record and certification within 24 hours of the work being performed. If the CDR is incomplete, in error, or otherwise misleading, the CDR will be rejected and returned within EEBACS with corrections noted. Correct rejected CDRs and resubmit the revised CDR within 24 hours. When chronic errors or omissions occur, correct the procedures by which the records are produced.

153.08 Acceptance. Add the following:

Performance of the work may be stopped according to Subsection 108.05, either in whole or in part, for failure to comply with the requirements of this Section. The Government may charge to the Contractor the cost of any additional inspections required when the work being inspected is found not to comply with contract requirements during the initial inspection. Work stop orders, due to recurring deficiencies of work required by this Section, will be rescinded after the Contractor demonstrates to the CO that changes were made to the quality control plan and system which resulted in the correction of those deficiencies. There will be no adjustment in the contract time, or payments to the Contractor for any impacts, delays or other costs due to any periods of work stoppage resulting from failure to comply with the requirements of this Section.

EEBACS electronic documentation will be evaluated under Subsection 106.02.

153.09 Measurement and Payment. Delete the text and substitute the following:

Measurement

153.09 Measure contractor quality control according to Subsection 109.02.

Do not measure EEBACS electronic documentation for payment.

Payment

153.10 The accepted quantities will be paid at the contract price per unit of measurement for the Section 153 pay item listed in the bid schedule. Payment will be full compensation for the work prescribed in this Section. See Subsection 109.05.

Progress payments for Contractor quality control will be paid as follows:

(1) 25 percent of the item amount, not to exceed 0.5 percent of the original contract amount, will be paid after the contractor quality control plan is accepted; all testing facilities are in place; qualified quality control supervisor, inspection, and sampling and testing personnel are in position to provide quality control activities; and the work being inspected or tested has started.

(2) 65 percent of the total lump sum will be prorated for payment based on the completed portion of the total work not including the original 25 percent completed under (1) above.

(3) Payment of the remaining 10 percent of the lump sum will be paid when all inspections, test results, submittals, and reports are complete and accepted.

Section 154. — CONTRACTOR SAMPLING AND TESTING

Construction Requirements

154.03 Sampling. Add the following:

Perform the initial curing of all concrete test cylinders. Provide for transporting the government verification cylinders to the FHWA-Central Federal Lands Highway's Laboratory unless other testing facilities are authorized by the CO.

Label each concrete mold with the name and number of the Project, the cylinder number, date molded, location of the sample, and the test age (i.e. – 7, 14, or 28 days). Label the mold after casting and the cylinder after stripping to ensure the sample can be identified throughout the entire curing process.

Provide the required cylinder molds.

154.04 Testing Add the following:

Where Process Control Sampling and Testing frequencies are identical to the Sampling, Testing, and Acceptance Tables at the end of each Section for all applicable work, the Process Control Samples may be used for acceptance.

154.04B Field Laboratory (Contractor-Furnished). Furnish a laboratory equipped with all test equipment necessary to satisfy the requirements of the contract.

The sampling and testing services of a commercial laboratory meeting or exceeding the requirements described herein may be used if all contract sampling and testing requirements are satisfied by the use of the commercial facility.

Ensure test equipment has been checked, calibrated, standardized and/or otherwise verified in accordance with AASHTO and ASTM standards by an individual qualified to do this work. Ensure mobile laboratories receive an equipment inspection after the laboratory has been moved to its permanent location on the project site and anytime it is moved thereafter. Inspect equipment within 45 days of actual use in project testing and at least once a year thereafter. Do not use equipment that has not been inspected or is found to be deficient. Mark deficient equipment and it take out-of-service until it is repaired or replaced and shown by subsequent inspection to perform as required. Maintain records documenting these inspections in the

laboratory. Provide certification(s) stating the equipment conforms to testing requirements and provide evidence of current inspection.

The CO may require the Contractor to perform testing to demonstrate acceptable equipment and an acceptable level of technician competence. The CO may also check equipment and inspection records to verify condition. Repair or replace equipment not meeting applicable requirements. Keep laboratory facilities clean and maintain equipment in proper working condition. Provide the CO unrestricted access to the laboratory for inspection and review.

Section 155. — SCHEDULES FOR CONSTRUCTION CONTRACTS

Construction Requirements

155.04 Preliminary Construction Schedule.

Add the following:

(j) A list of the permits required for the contract. See Section 107.

155.05 Initial and Baseline Construction Schedule.

Delete (a) (1) (c) and substitute the following:

(c) Show activities in the order the work will be performed, including submittals, submittal reviews, permit applications, permit reviews, fabrication, and delivery.

Delete the second sentence of (b) (2) (g) and substitute the following:

Non-construction activities include mobilization, drawing and sample submittals by pay item number, permit applications, and the fabrication and delivery of key material.

Add the following to the end of (b) (2) (g):

Refer to the permitting agencies to determine an appropriate duration for permit application review, permit approval, and distribution of permits.

(f) Submission and approval. Add the following to the end of the second paragraph:

No progress payments will be made until an initial construction schedule is approved by the CO.

155.06 Baseline Schedule Updates. Delete the second paragraph and substitute the following:

Unless previously approved by the CO, changes to the construction schedule for the work that is still to be completed, can only be changed with a Time Impact Analysis according to Subsection

108.03, and a Baseline Construction Schedule revision according to Subsection 155.07. Receipt of a baseline construction schedule update with negative float does not constitute agreement by the Government of the revised completion date.

Add the following:

(f) Working Schedule. At each construction progress meeting, provide the CO with a written summary detailing the work completed in the previous week and the proposed work activities for the following two weeks. Provide detail of proposed operations that will affect traffic flow, residents and businesses adjacent to the project. Provide the CO with a schedule revision if the written summary significantly differs from the baseline construction schedule or the latest construction schedule revision.

155.07 Baseline Schedule Revision. Delete the first paragraph and substitute the following:

Submit a time impact analysis when requesting approval of a baseline schedule revision. Submitting a proposed baseline schedule revision is not considered a notification of delay or of other basis for change. Continue to submit monthly schedule updates according to Subsection 155.06 until a baseline construction schedule revision is approved.

Section 156. — PUBLIC TRAFFIC

Construction Requirements

156.04 Accommodating Traffic During Work. Delete the first paragraph and substitute the following:

Accommodate traffic according to the MUTCD, contract traffic control drawings, Section 635, and this Section. Submit a traffic control plan for approval according to Subsection 104.03. Submit a traffic control plan at least 30 days before intended use.

Add the following:

| Allowed Closure and Resident Access Table ⁽³⁾ | | | | | | | |
|--|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| | SUN | MON | TUES | WED | THUR | FRI | SAT |
| WEST SIDE (Sites 12-16) ⁽¹⁾ | Closed |
| EAST SIDE (Sites 2-11) ⁽²⁾ | Full Resident Access | 8am-6pm closure | 8am-6pm closure | 8am-6pm closure | 8am-6pm closure | 8am-6pm closure | Full Resident Access |
| Coastal Ridge Trail Road Detour | Full Resident Access |

(1) Provide weekend or weekday resident access during any non-working times and when a minimum single-lane access is present. Use standard MUTCD devices without flaggers to provide safe resident passage through the repair sites. This may be

during periods between individual wall site construction activities. Notify the CO of any granted access periods for residential coordination.

(2) Multiple-day roadway closures (Mon-Thu only) are allowed on the East side for the construction of culvert installations with a minimum of 7 days' notice to the CO prior to the start of the closures.

(3) During non-closure times, limit construction-caused delays to resident traffic to a maximum of 30 minutes per passage through the project.

Develop an Emergency Access Communication Plan in coordination with emergency services, Monterey County, Los Padres National Forest, and the CO. Submit the Emergency Access Communication Plan for approval 7 days prior to the Preconstruction Conference so it can be reviewed and discussed at the Preconstruction conference.

Provide immediate access through the project to emergency vehicles, including firefighting equipment in the event of a forest fire. Be prepared at all times, to immediately halt construction operations and restore the roadway such that emergency vehicles may pass through the project.

156.05 Maintaining Roadways During Work.

(a) Add the following:

Do not construct diversions outside of the clearing limits or use alternate route detours without the approval of the CO.

156.07 Limitations on Construction Operations.

(c) Delete the first sentence and substitute the following:

For alternate one-way traffic control, provide a minimum lane width of 9 feet (2.7 meters). For two-way traffic, provide a minimum roadway width of 18 feet (5.4 meters) or the existing pavement width if narrower than 18 feet.

(i) Delete the text and substitute the following:

Limit operations according to Subsection 108.01.

Add the following:

(j) Perform no work between one-half hour before sunset and one-half hour after sunrise.

(k) Submit a road closure detour plan to the CO for approval 14 days prior to any road closures. See Detour Sheet of the plans for required closure signs. Coordinate with Forest permit holders to allow access throughout temporary closures.

156.09 Traffic Control Supervisor. Delete the second sentence and substitute the following:

The superintendent may serve as the traffic control supervisor provided the requirements of Subsection 156.03 are met.

Section 157. — SOIL EROSION AND SEDIMENT CONTROL

Delete the entire Section and substitute the following:

**Section 157. — SOIL EROSION CONTROL, SEDIMENT CONTROL,
AND STORMWATER POLLUTION PREVENTION PLAN****Description**

157.01 This work consists of preparing and managing a Stormwater Pollution Prevention Plan (SWPPP) including non-stormwater pollution prevention. This work also consists of implementing the SWPPP including but not limited to furnishing, constructing, and maintaining soil erosion and sediment control devices to eliminate or minimize pollutants in stormwater discharges from the project.

Material

157.02 Conform to the following Subsections:

| | |
|---|-----------|
| Backfill material | 704.03 |
| Concrete masonry unit | 725.07(c) |
| Fertilizer | 713.03 |
| Fiber rolls and socks | 713.12 |
| Floating turbidity curtains | 713.21 |
| Gravel bags | 713.13 |
| Mulch | 713.05 |
| Plastic lining | 725.12 |
| Prefabricated filter insert | 713.20 |
| Riprap | 705.02 |
| Rock mulch | 705.07 |
| Sandbags | 713.14 |
| Sediment filter bags | 713.19 |
| Seed | 713.04 |
| Separation and stabilization geotextile and geotextile filter | 714.01(a) |
| Silt fence | 713.16 |
| Tackifiers | 713.11(a) |
| Temporary culvert pipe | 713.15 |
| Temporary plastic fence | 710.11 |
| Temporary rolled erosion control products | 713.17 |
| Turf reinforcement mats | 713.18 |
| Water | 725.01(b) |

If using materials not listed here, see Subsection 106.04.

Construction Requirements

157.03 Qualifications. Submit the names of personnel responsible for the following roles and qualifications for approval with SWPPP submittal:

- (a) SWPPP Developer;
- (b) Erosion Control Supervisor; and
- (c) On-Site Stormwater Lead.

Provide documentation that personnel meet the qualifications set forth in the Construction General Permit of the state(s) that the project is located in, or the qualifications below, whichever is more stringent. Include certifications in those states where applicable. One person may serve in more than one role if qualified.

- (a) **SWPPP Developer.** Provide a SWPPP Developer with all the following qualifications:
 - (1) Have completed 40 hours of stormwater management training;
 - (2) Have 5 years of highway or equivalent experience developing stormwater pollution prevention plans and designing site specific best management practices (BMPs); and
 - (3) Be registered or certified in the state(s) in which the project is located for one or more of the following:
 - (a) Registered civil engineer;
 - (b) Registered professional geologist or engineering geologist;
 - (c) Licensed landscape architect;
 - (d) Registered professional hydrologist; or
 - (e) Other state or nationally recognized certification program for erosion and sediment control professionals.
- (b) **Erosion Control Supervisor.** Provide an Erosion Control Supervisor with the following qualifications:
 - (1) Both of the following:
 - (a) Have completed 24 hours of stormwater management training; and
 - (b) Have 3 years of highway or equivalent construction experience that included oversight of erosion, sediment, and pollution control best management practices; or
 - (2) One of the following:
 - (a) Meet requirements of SWPPP Developer above; or
 - (b) Be registered or certified as a stormwater inspector from a state or nationally recognized certification program for stormwater inspectors.

(c) On-Site Stormwater Lead. Provide a Stormwater Lead with the following qualifications:

(1) Both of the following:

(a) Have completed 8 hours of stormwater management training;

(b) Have 1 year of highway construction experience including stormwater management duties; or

(2) One of the following:

(a) Meet requirements of Erosion Control Supervisor;

(b) Be registered or certified as a stormwater inspector from a state or nationally recognized certification program for stormwater inspectors.

157.04 Roles and Responsibilities. Furnish a Stormwater Team that is qualified to perform the following roles and responsibilities:

(a) SWPPP Developer. Develop and approve the SWPPP for the project based on requirements in the Construction General Permit, contract plans, and specifications. Show construction phasing of erosion, sediment, and pollution prevention BMPs for all construction activities on a site plan to meet water quality regulations. Review field changes and provide amendments to the SWPPP when substantial changes occur.

(b) Erosion Control Supervisor. Implement the SWPPP, which includes but is not limited to scheduling installation and maintenance of all BMPs, job site inspections, and other activities for pollution prevention. Review all inspection reports and ensure that SWPPP and Site Plan are implemented and updated.

(c) Stormwater Lead. Install and maintain BMPs, conduct site inspections, monitor water quality, and perform all on-site and reporting activities required to comply with the Construction General Permit. Inform the Erosion Control Supervisor when changes are made. The Stormwater Lead is required to be on the project site during working hours, and available during non-work hours to do inspections before, during, and after qualifying rain events.

157.05 General. Develop, submit, and manage a SWPPP or SWPPP amendment according to the Construction General Permit requirements for project location. Contract permits amend the requirements of this Section. Submit SWPPP to the CO at or before the preconstruction conference. Allow 7 calendar days for CO review and approval prior to submission to regulatory agency(ies).

Basic project information typically needed to fill out an NPDES permit and produce an acceptable SWPPP will be provided by the Government for the Contractor's use in development of the SWPPP.

When soil erosion and sediment pollution control measures are not functioning as intended, take immediate corrective action to eliminate or minimize pollutants in stormwater discharges from the project.

Provide certified weed free devices.

Do not use monofilament plastic for erosion or sediment control products.

157.06 Controls and Limitations on Work. Prior to the start of a construction activity, implement appropriate pollution prevention measures for the activity. No soil disturbing construction activity may begin on the project until the SWPPP has been reviewed and approved and the NOI has been accepted by the permitting agency and is active.

157.07 Stormwater Pollution Prevention Plan. Prepare, submit, and implement a Construction SWPPP following the SWPPP template of the state in which the project is located. Include the Federal Highway Administration as an operator on the project in charge of plans and specifications. If the state does not provide a template, follow the SWPPP template provided by the Environmental Protection Agency (EPA)

(<https://www.epa.gov/npdes/construction-general-permit-resources-tools-and-templates#swppp>).

Provide a SWPPP according to the Stormwater Construction General Permit (CGP) and the following manual: “The Stormwater Practitioners Guide by the FHWA, Central Federal Lands Highway Division” (The CFL Stormwater Guide) which is available at:<https://highways.dot.gov/federal-lands/construction/cfl-stormwater-guide>

Provisions in the SWPPP are incorporated by reference into the contract. Provide an electronic copy of the SWPPP and obtain approval from the CO prior to mobilization.

Based on the approved SWPPP, provide the CO a list of the planned pollution prevention devices for each of the following: erosion controls, sediment controls, and non-stormwater controls.

Implement the SWPPP as required throughout the construction period. Modify the erosion, sediment, and non-stormwater pollution control details and SWPPP plans as necessary to accommodate project site conditions and proposed construction operations. Update the SWPPP when modifying erosion, sediment, and non-stormwater pollution controls. Provide a copy of the updated SWPPP monthly to the CO for review.

157.08 Soil Erosion Control. Apply erosion control measures to stabilize soils and to control temporary concentrated flows throughout the duration of the project. Construct and maintain measures according to manufacturer’s recommendations, the project requirements, and according to the following manual: “The CFL Stormwater Guide.”

157.09 Sediment Control. Apply sediment control measures to intercept, slow and detain the flow of stormwater throughout the duration of the project. Construct and maintain measures

according to manufacturer's recommendations, the project requirements, and according to the following manual: "The CFL Stormwater Guide."

157.10 Non-Stormwater Controls. Apply non-stormwater measures as needed and as required in the SWPPP to control non-stormwater discharges, and to prevent or limit potential pollutants at their source from contact with stormwater throughout the duration of the project. Construct and maintain measures according to manufacturer's recommendations, the project requirements, and according to the following manual: "The CFL Stormwater Guide."

157.11 Acceptance. Material for erosion, sediment, and non-stormwater pollution control measures will be evaluated under Subsections 106.02 and 106.03.

Construction, maintenance, and removal of erosion control, sediment control, and non-stormwater controls will be evaluated under Subsections 106.02 and 106.04.

Separation and stabilization geotextile and geotextile filter will be evaluated under Section 207.

Measurement

157.12 Measure the Section 157 pay items listed in the bid schedule according to Subsection 109.02 and the following as applicable:

Do not measure replacement erosion, sediment, or non-stormwater pollution control measures.

Do not measure additional or changed erosion, sediment, or non-stormwater pollution control measures required when planned controls are not functioning as intended and corrective actions are taken.

Payment

157.13 The accepted quantities will be paid at the contract price per unit of measurement for the Section 157 pay items listed in the bid schedule. Payment will be full compensation for the work prescribed in this Section. See Subsection 109.05.

(a) Progress payments for SWPPP will be paid as follows:

(1) 25 percent of the pay item amount will be paid on the approval of the SWPPP by the CO and upon receipt of authorization from the permitting agency that the project permit is active.

(2) An additional 50 percent of the pay item amount will be prorated based on total work completed.

(3) The remaining portion of the pay item amount will be paid when a copy of the final SWPPP and all accompanying documentation, to include, inspection reports, water quality sampling results, and annual report submittals, is submitted and accepted by the CO after the final inspection and resolution of punch list items.

(b) Progress payments for erosion and sediment control measures or devices will be paid as follows:

- (1) 80 percent of the pay item amount will be prorated based on total contract work completed.
- (2) 20 percent of the pay item amount will be paid at completion of contract after final acceptance.

Section 203. — REMOVAL OF STRUCTURES AND OBSTRUCTIONS

Construction Requirements

203.01 Add the following:

This work includes removing existing culverts that are being replaced and debris at repair areas (old culverts, CMP troughs, etc.)

203.05 Disposing of Material.

(a) **Remove from Project.** Add the following:

Secure clearances according to Subsection 107.10.

(b) **Burn.** Delete the subsection.

(c) **Bury.** Delete the subsection.

Section 204. — EXCAVATION AND EMBANKMENT

Materials

Construction Requirements

204.05 Conserved Topsoil. Delete the first sentence and substitute the following:

Conserve topsoil from the roadway excavation and from embankment foundation areas to the extent and depth determined by the CO.

204.14 Disposal of Unsuitable or Excess Material. Add the following:

Secure environmental clearances according to Subsection 107.10(d).

Measurement

204.16

(a) Roadway Excavation.

(1) Include the following volumes in roadway excavation:

(e) Delete the text and substitute the following:

Conserved topsoil stripped from cuts.

(h) Delete the text and substitute the following:

Conserved material taken from stockpiles and used in Section 204 work except topsoil measured under Section 624. Only materials required to be conserved by the CO are eligible for measurement under this item.

(2) Do not include the following in roadway excavation: Add the following:

(n) Conserved topsoil stripped from fills.

(c) Embankment construction. Delete the text and substitute the following:

Measure embankment construction in its final position. Do not make deductions from the embankment construction quantity for the volume of minor structures.

(1) Include the following volumes in embankment construction:

(a) Roadway embankments;

(b) Material used to backfill holes, pits, and other depressions; and

(c) Material used for dikes, ramps, mounds, and berms.

(2) Do not include the following volumes in embankment construction:

(a) Preparing foundations for embankment construction;

(b) Adjustments for subsidence or settlement of the embankment or of the foundation on which the embankment is placed;

(c) Material used to round fill slopes;

(d) Material used to backfill subexcavated areas; and

(e) Material used to restore obliterated roadbeds to original contours.

Section 255. — MECHANICALLY-STABILIZED EARTH WALLS**Material****255.02** Add the following:

| | |
|--------------------|-----------|
| Backfill material | 704.03(a) |
| Geocomposite drain | 714.02 |
| Granular backfill | 703.03(a) |
| Plastic pipe | 708.04 |
| Wall facing fill | 705.08 |

Construction Requirements**255.03 General.** Add the following:

Do not disturb existing ground until limits of wall installation have been verified and the CO has approved installation drawings.

Install reinforcement elements to within 2 inches (50 millimeters) vertically from the staked location.

Install wall drainage systems according to Section 605.

255.04 Wall Erection. Delete Table 255-1 and substitute the following:

Table 255-1
Construction Tolerance

| Facing Type | Vertical Tolerance⁽¹⁾ | Horizontal Tolerance⁽²⁾ | Horizontal Straight Edge Point Check⁽³⁾ |
|---------------------------------------|---|---|---|
| Precast concrete panel, masonry block | 0.5 inch (13 mm) | 0.5 inch (13 mm) | 0.75 inch (19 mm) |
| Welded wire, gabions | 1 inch (25 mm) | 1 inch (25 mm) | 2 inch (51 mm) |

(1) Wall vertical tolerance at top of wall for every 10 feet (3 meters) of wall height. For example, 65 feet (20 meter) wall height multiply 6.5×value.

(2) Wall horizontal tolerance at top of wall for every 10 feet (3 meters) of wall height.

(3) Maximum horizontal deviation at a point in the wall from a 10-foot (3-meter) straightedge placed horizontally or vertically on the theoretical plane of the design face.

255.04 (b) Wire-faced. Add the following:

Cut horizontal bench into original ground to a sufficient width to accommodate placement and backfilling of the top 3 reinforcement elements. Begin bench at centerline of proposed roadway

or a minimum of 3 feet (1 meter) beyond the intersection of the original ground and the highest point of the wall excavation slope, whichever is the greatest distance from the wall face.

255.05 Backfilling. Delete the text and substitute the following:

Backfill the stabilized volume with select granular backfill and wall facing fill according to Subsection 209.09. Use wall facing fill within 18 inches (450 millimeters) of the wall face. Place select granular backfill material from the back of wall facing fill to a minimum of 12 inches (300 millimeters) past end of the reinforcement. Ensure that no voids exist below the reinforcement. Compact each layer according to Subsection 209.10, except use an acceptable lightweight mechanical or vibratory compactor within 36 inches (900 millimeters) of the wall face.

Consolidate wall facing fill by rodding or other approved means to produce a uniform, tight facing fill. Place wall facing fill in sequence with select granular backfill such that the top of the adjacent materials are within 6 inches (150 millimeters) of one another.

Where the stabilized volume supports spread footings for bridges or other structural loads, compact the top 5 feet (1.5 meters) to at least 100 percent of the maximum density.

Do not damage or disturb the facing or reinforcing elements. Do not operate equipment directly on top of the reinforcing mesh or strips. Correct damaged, misaligned, or distorted wall elements.

Backfill and compact behind the stabilized volume with backfill material according to Subsections 209.09 and 209.10. At the end of the day's operation, slope the last lift of backfill away from the wall face to direct surface runoff away from the wall. Do not allow surface runoff from adjacent areas to enter the wall construction area.

255.06 Acceptance. Delete Table 255-2 and substitute the following:

Table 255-2
Sampling, Testing, and Acceptance Requirements

| Material or Product (Subsection) | Type of Acceptance (Subsection) | Characteristic | Category | Test Methods Specifications | Sampling Frequency | Point of Sampling | Split Sample | Reporting Time | Remarks |
|-----------------------------------|--|----------------------------|----------|-----------------------------|--------------------------------|--------------------|--------------|----------------------|--|
| Source | | | | | | | | | |
| Select granular backfill (704.08) | Measured and tested for conformance (106.04 & 105) | Gradation | | AASHTO T 27 & T 11 | 1 per soil type ⁽¹⁾ | Source of material | Yes | Before using in work | Not required when using Government-provided source |
| | | Angle of internal friction | | AASHTO T 236 and Subsection | " | " | " | " | " |

| | | | | | | | | | |
|--|--|------------------------------------|---------------------------|---|---|---|---|---|---|
| | | | 704.08(a)(2) | | | | | | |
| | | Soundness using sodium sulfate | AASHTO T 104 | " | " | " | " | " | " |
| | | Plasticity index | AASHTO R 58, T 89, & T 90 | " | " | " | " | " | " |
| | | Resistivity ⁽²⁾ | AASHTO T 288 | " | " | " | " | " | " |
| | | pH ⁽²⁾⁽³⁾ | AASHTO T 289 | " | " | " | " | " | " |
| | | Sulfate content ⁽²⁾⁽⁴⁾ | AASHTO T 290 | " | " | " | " | " | " |
| | | Chloride content ⁽²⁾⁽⁴⁾ | AASHTO T 291 | " | " | " | " | " | " |

Table 255-2 (continued)
Sampling, Testing, and Acceptance Requirements

| Material or Product (Subsection) | Type of Acceptance (Subsection) | Characteristic | Category | Test Methods Specifications | Sampling Frequency | Point of Sampling | Split Sample | Reporting Time | Remarks |
|-----------------------------------|--|------------------|----------|---|--------------------------------|--------------------|--------------|---------------------------|---------|
| Production | | | | | | | | | |
| Select granular backfill (704.08) | Measured and tested for conformance (106.04) | Moisture-density | | AASHTO T 99, Method C ⁽⁵⁾ | 1 per soil type ⁽¹⁾ | Source of material | Yes | Before using in work | |
| | | Density | | AASHTO T 310 or other approved procedures | 2 per lift | In-place | No | Before placing next layer | |

- (1) If on-site backfill is used, increase testing frequency to once per 500 yards of material from each source.
(2) Required for MSE walls with metallic reinforcements.
(3) Required for MSE walls with geosynthetic reinforcements.
(4) Tests for sulfate and chloride content are not required when resistivity is greater than 5000 ohm centimeters.
(5) Minimum of 5 points per proctor.

Measurement

255.07 Delete the fourth paragraph.

Section 302. — MINOR CRUSHED AGGREGATE

302.06 Acceptance. Add the following to the second paragraph:

Sample material at the frequency shown in Table 302-1. Materials that do not meet the approved certification will be considered unacceptable.

Delete Table 302-1 and substitute the following:

**Table 302-1
Sampling, Testing, and Acceptance Requirements**

| Material or Product (Subsection) | Type of Acceptance (Subsection) | Characteristic | Test Methods Specifications | Sampling Frequency | Point of Sampling | Split Sample | Reporting Time | Remarks |
|----------------------------------|--|-----------------------------|--|----------------------------------|---|--------------|--|---------|
| Production | | | | | | | | |
| Crushed aggregate ⁽¹⁾ | Measured and tested for conformance (106.04) | Moisture-Density | AASHTO T 180, Method D ⁽³⁾ | 1 per aggregate supplied | Production output or stockpile | Yes | Before using in work | |
| | | Gradation ⁽²⁾ | AASHTO T11 and T27 | 1 per 500 tons (450 metric tons) | From the windrow or roadbed after processing. | Yes | Before placing next layer | |
| | | Density | AASHTO T310 or other approved procedures | 1 per 500 tons (450 metric tons) | In-place after compaction | No | Before placing next layer | |
| Crushed aggregate | Process control (153.03) | Moisture content (in-place) | AASHTO T310 or other approved procedures | 1 per 500 tons (450 metric tons) | In-place after compaction | No | Before placement of next layer or as requested | |
| Finished Product | | | | | | | | |
| Crushed aggregate | Measured and tested for conformance (106.04) | Surface tolerance & grade | Subsection 301.06 | Determined by the CO | Surface of final course | No | Before placement of next layer or as requested | |

⁽¹⁾ Sampling and testing required for roadway aggregate.

⁽²⁾ Use only sieves indicated for the specified gradation.

⁽³⁾ Minimum of 5 points per proctor.

Section 403. — ASPHALT CONCRETE**Description****403.01** Add the following:

Use an Asphalt binder that would be specified for the project location and is designated according to AASHTO M 320.

Construction Requirements**403.02 Composition of Mix (Job-Mix Formula).** Add the following:

The CO may perform mix design-verification testing to confirm the mix meets the contract requirements. If verification testing is required, submit a loose mix sample to the CO 14 days prior to placement.

403.09 Compacting. Add the following:

For HMA, do not roll the mix after the surface cools below 175 °F (80°C).

Along forms, curbs, headers, walls, and other places not accessible to the rollers, compact the mix with alternate equipment to obtain the required compaction.

403.12 Acceptance. Add the following:

During production placement of the mix, sample loose mix and compacted cores according to Table 403-2 and submit to the CO for acceptance. Materials that do not meet the approved job-mix formula are considered unacceptable.

Delete Table 403-2 and substitute the following:

**Table 403-2
Sampling, Testing, and Acceptance Requirements**

| Material or Product (Subsection) | Type of Acceptance (Subsection) | Characteristic | Test Methods Specifications | Sampling Frequency | Point of Sampling | Split Sample | Reporting Time | Remarks |
|---|--|--------------------------|--|---|---|---------------------|------------------------------------|---------------------------------|
| Mix Design | | | | | | | | |
| Asphalt concrete mixture Type I (403.02(a)) | Measured and tested for conformance (106.04) | Job-mix formula | Subsection 403.02(a) | When requested by the CO. | Flowing mix stream (bin or belt discharge) or behind the paver before compaction. | Yes | Before approval of job-mix formula | Tested by the CO |
| Production | | | | | | | | |
| Asphalt concrete, Type I (403.02(a)) | Measured and tested for conformance (106.04) | Job-mix formula | Subsection 403.02 | 1 per 700 tons (650 metric tons) | Behind the paver before compaction. | Yes | | Deliver cores to CO for testing |
| | | Density ⁽¹⁾ | AASHTO T 166 | “ | In-place after Compacting | Yes | | |
| | | Maximum specific gravity | AASHTO T 209 ⁽²⁾ | “ | Behind the paver before compaction | Yes | | |
| | | Surface Tolerance | Straightedge measurement , Subsection 403.11 | Continuously, after compaction | Finished pavement surface | No | | |
| | | Placement temperature | | First load and as determined by CO thereafter | Hauling vehicle before dumping, or windrow before pickup | No | | |

Table 403-2 (continued)
Sampling, Testing, and Acceptance Requirements

| Material or Product (Subsection) | Type of Acceptance (Subsection) | Characteristic | Test Methods Specifications | Sampling Frequency | Point of Sampling | Split Sample | Reporting Time | Remarks |
|---------------------------------------|--|--------------------------------|-----------------------------|----------------------------------|-------------------------------------|--------------|----------------|---------|
| Production | | | | | | | | |
| | Process control (153.03) | Gradation at the plant | AASHTO T 27 & T 11 | Contractor determined | Cold feed or hot bins as applicable | No | 24 hours | |
| | | Moisture content of aggregates | AASHTO T 255 | " | Stockpile | No | " | |
| | | Density | ASTM D2950 | 1 per 500 feet (150 meters) | In-place after compacting | No | " | |
| Asphalt concrete, Type II (403.02(b)) | Measured and tested for conformance (106.04) | " | " | 3 per 700 tons (650 metric tons) | In-place after compacting | No | " | |

(1) Dry cores to constant mass at 125±5°F (52±3 °C) or vacuum dry, ASTM D7227 before testing. For asphalt concrete Type I, cut two 6-inch (150-millimeter) diameter side by side cores. Remove them with a core retriever and fill and compact the core holes with asphalt concrete mixture. Label the cores and protect them from damage due to handling and temperature. Submit one core for verification testing. Dry the other core to constant mass at 125±5 °F (52±3 °C) or vacuum dry it according to ASTM D7227 before performing the core density and measuring the thickness. Use 62.245 pounds per cubic foot (997.1 kilograms per cubic meter) to convert specific gravity to density. Use AASHTO T 166 regardless of the volume of water absorbed. Use the average maximum specific gravity value (AASHTO T 209) of the first three samples to determine the percent compaction of each Lot.

(2) Do not use the dry back method (Section 11 of AASHTO T 209).

Section 601. — MINOR CONCRETE STRUCTURES

601.07 Acceptance. Add the following:

The concrete mixture's density, air content, slump, temperature, and compressive strength will be evaluated under Subsections 106.02 and 106.04.

Table 601-2
Sampling, Testing, and Acceptance Requirements

| Material or Product (Subsection) | Type of Acceptance (Subsection) | Characteristic | Test Methods Specifications | Sampling Frequency | Point of Sampling | Split Sample | Reporting Time | Remarks |
|----------------------------------|--|---|------------------------------|--|--------------------------------------|--------------|-----------------------|--|
| Source | | | | | | | | |
| Aggregate (703.01 & 703.02) | Measured and tested for conformance (106.04 & 105) | Quality | Subsection 703.01 & 703.02 | 1 per material type | Source of material | Yes | Before producing | – |
| Mix Design | | | | | | | | |
| Concrete Composition (601.03) | " | All | Subsection 601.03 | 1 per mix design | " | If requested | " | – |
| Production | | | | | | | | |
| Concrete ⁽¹⁾ | Measured and tested for conformance (106.04) | Density | AASHTO T 121 | 1 set per 30 yd ³ (25 m ³), but not less than 1 per day | Discharge stream at point of placing | No | Upon completing tests | |
| | | Air content | AASHTO T 152 or AASHTO T 196 | " | " | No | " | |
| | | Slump | AASHTO T 119 | " | " | No | " | |
| | | Temperature | ASTM C1064 | " | " | No | " | |
| | | Compressive strength ⁽²⁾⁽³⁾ (28-day) | AASHTO T 23 & T 22 | 1 set per 30 yd ³ (25 m ³), but not less than 1 per day | Discharge stream at point of placing | No | 28 days | Deliver cylinders to the CO or designated laboratory for scheduled testing |

(1) Sample according to AASHTO R 60, except composite samples are not required.

(2) Cast at least four compressive strength test cylinders for 6- by 12-inch (150- by 300-millimeter) specimens or six compressive strength cylinders for 4- by 8-inch (100- by 200-millimeter) and carefully transport the cylinders to the job site curing facility.

(3) A single compressive strength test result is the average result from two 6- by 12-inch (150- by 300-millimeter) or three 4- by 8-inch (100- by 200-millimeter) cylinders cast from the same load.

(4) If the point of placement is different from the point of discharge, correlate the discharge tests with the placement tests to document the changes.

Section 623. — GENERAL LABOR

Delete the text of this Section and substitute the following:

Description

623.01 This work consists of furnishing workers and hand tools for construction work, survey crews, and furnishing qualified personnel to perform technical work ordered by the CO and not otherwise provided for under the contract.

Construction Requirements

623.02 Workers and Equipment. Furnish competent workers and appropriate hand tools for the work. Provide a crew of sufficient size and qualifications necessary to accomplish the required surveying services within acceptable tolerances.

Obtain approval of the length of a workday and workweek before beginning the work. Keep daily records of the number of hours worked. Submit the records along with certified copies of the payroll.

623.03 Surveying Services. Furnish personnel, equipment, and material that conform to the requirements of Subsection 152.01. Survey according to Section 152.

Survey and establish controls within the tolerances shown in Table 152-1, or within other tolerances as established by the CO.

Prepare field notes in an approved format. Furnish calculations. All field notes, supporting documentation, and calculations become the property of the Government upon completion of the work.

623.04 Technical Services. Furnish qualified engineering personnel experienced in highway construction and design, capable of performing in a timely and accurate manner. Provide personnel with a minimum of NICET Level II certification in highway design and construction, or State (SHA) or industry certification-related design and construction equivalent to their intended responsibilities. Personnel with 2 years or more of recent job experience in the type of highway design and construction provided for under the contract may be used in lieu of certifications. Provide the names and relevant experience of all personnel. Furnish supporting tools and equipment (e.g., calculator, computer, and software, and appropriate and commonly-used drafting tools for the assigned task).

All calculations, notes, and supporting documentation become the property of the government upon completion of the work.

623.05 Technical Services Biologist.

Furnish one or more qualified biologists to provide technical support as described in Subsection 107.10(e). Provide personnel with a bachelor's degree in wildlife biology, botany, or a related field and at least 2 years of previous experience providing biological support on construction projects in California. Submit resumes of proposed personnel to the CO at least 14 days before initiating technical support.

623.06 Acceptance. General labor work will be evaluated under Subsection 106.02.

Additional surveying services will be evaluated under Section 152.

Hired technical services will be evaluated under Subsections 106.02 and 106.04

Measurement

623.07 Measure the Section 623 items listed in the bid schedule according to Subsection 109.02 and the following as applicable.

Round portions of an hour up to the nearest half hour. Measure time in excess of 40 hours per week at the same rate as the first 40 hours.

Measure surveying service by the crew hour regardless of crew size. Do not measure time spent in making preparations, performing calculations, plotting cross-sections, processing computer or other data, and other efforts necessary to successfully accomplish the ordered survey services.

Do not measure time for worker's transportation to and from the project site.

Measure office technical services by the hour, as ordered by the CO, for performing calculations, plotting cross-sections, and processing computer or other data.

Payment

623.08 The accepted quantities will be paid at the contract price per unit of measurement for the Section 623 pay item listed in the bid schedule. Payment will be full compensation for the work prescribed in this section. See Subsection 109.05.

Section 625. — TURF ESTABLISHMENT

Construction Requirements

625.03 General. Delete the first sentence and substitute the following:

Perform all seeding in the fall, ideally in conjunction with the start of fall/winter rains, and before final completion date per Subsection 108.01.

Measurement

625.11 Delete the second sentence and substitute the following:

When measuring turf establishment and supplemental applications by the acre (hectare) or square yard (square meter), measure on the ground surface.

**Section 629. — ROLLED EROSION CONTROL PRODUCTS
AND CELLULAR CONFINEMENT SYSTEMS**

Construction Requirements

629.05 (a) Slope Installations. Delete the text and substitute the following:

(a) Slope Installations. At the top of the slope, anchor the RECP by using an anchor trench.

(1) Anchor trench. Construct a 6- by 6-inch (150- by 150-millimeter) trench. Extend the upslope terminal end of the RECP 36 inches (900 millimeters) past the trench. Use staples on 12-inch (300-millimeter) centers to fasten the RECP into the trench. Backfill the trench and compact the soil. Secure the terminal end with a single row of staples on 12-inch (300-millimeter) centers and cover the end with soil. Apply turf establishment to trench.

Securely fasten all RECP to the soil by installing staples according to the manufacturer's recommendations.

Section 635. — TEMPORARY TRAFFIC CONTROL

Description

635.01 Delete the second paragraph and substitute the following:

Arrow board, portable changeable message sign, barricade, and warning light types are designated in the MUTCD.

Material

635.02 Delete the Subsection and substitute the following:

635.02 Conform to the MUTCD and the following Sections and Subsections:

| | |
|--|--------|
| Concrete barrier (temporary) | 618 |
| Delineator and object marker retroreflectors | 718.08 |

| | |
|-----------------------------|--------|
| Guardrail (temporary) | 617 |
| Retroreflective sheeting | 718.01 |
| Sign panels | 718.03 |
| Sign posts | 718.04 |
| Sign hardware | 718.06 |
| Temporary plastic fence | 710.11 |
| Temporary pavement markings | 718.16 |

Construction Requirements

635.07 Construction Signs. Delete the first paragraph and substitute the following:

Fabricate and install sign panels according to Subsection 633.05. Use Type III, IV, VIII, IX, or XI prismatic retroreflective sheeting. Use fluorescent sheeting for orange signs. For roll-up signs, use fluorescent Type VI retroreflective sheeting.

Add the following:

Provide the same type of sheeting on all post-mounted construction signs that pertain to the project.

Use crashworthy posts within the traversable area adjacent to traffic.

Payment

635.25 Add the following:

Progress payments for temporary traffic control lump sum will be paid as follows:

- (a) 25% of the pay item amount will be paid when initial construction signs are in place and needed devices onsite for use.
- (b) An additional 65% of pay item amount will be prorated based on total work complete.
- (c) The remaining portion of the pay item amount will be paid when the construction signs and devices are no longer needed and have been removed from the project.

Section 637. — FACILITIES AND SERVICES

Description

637.02. General Delete the first sentence of the first paragraph and substitute the following:

Provide the facilities and services beginning no later than 3 days prior to beginning on-site construction activities and ending 14 days after final acceptance of all contract and Government option work.

637.03. Facilities Delete the last sentence of the first paragraph and substitute the following:

Locate the Government field office within miles of the project Site. The Fort Hunter Liggett Recreational Area has trailer hookups and may be a potential location. For more information, visit the following link:

<https://hunterliggett.armymwr.com/programs/outdoor-recreation>

Alternative locations and facilities may be proposed by the Contractor for acceptance by the CO. Obtain CO approval for field facilities, associated services, facility furnishings and office equipment prior to committing to or signing any agreements for these items.

Add the following:

(c) Equipment. Furnish the following office equipment in the Government field office:

(1) All-in-One (AIO) Device. A self-feeding plain paper printer, copier and scanner with the following minimum capabilities:

(a) Printing, copying, and scanning black and white, and color hardcopies for each size paper; 8½- by 11-inch (letter size), 8½- by 14-inch (legal size), and 11- by 17-inch paper

(b) Equipped with 3 separate paper trays, 1 for each size paper; 8½- by 11-inch (letter size), 8½- by 14-inch (legal size), and 11- by 17-inch paper.

(c) Automatic document feeder capable of making at least 20 copies per minute for each size paper;

(d) Reducing or enlarging originals, including duplex (double-sided) copying, for each size paper;

(e) Capable of scanning at 600 dpi for each size paper;

(f) Reducing or enlarging originals, including duplex (double-sided) copying, for each size paper;

(g) Copying to Universal Serial Bus (USB) flash drive in Adobe Acrobat (*.pdf) file format; and

(h) Built-in wireless technology (Wi-Fi capable).

Furnish all necessary supplies for the AIO device, including paper.

Delete Table 637-1 and substitute the following:

**Table 637-1
Minimum Requirements for Field Office and Associated Services**

| Property | Size or Quantity |
|---|-------------------------|
| Floor space, square feet | 450 |
| Locking outside door, deadbolt with keys | 1 |
| Steps with slip-proof tread and handrails | (1) |
| Windows with locks | 2 |
| Total window area, square feet | 30 |
| Ceiling height, 7 feet | ✓ |
| Rooms including toilet room | 3 |
| Room size, except toilet room, square feet | 100 |
| Closet, 45-cubic foot | ✓ |
| Electrical lighting | ✓ |
| Heat and air conditioning ⁽²⁾ , maintain temperature of 72±7 °F | ✓ |
| Adequate electrical outlets | ✓ |
| Surge protectors (3 Total) | ✓ |
| Adequate electricity (120 and 240 V, 60 cycle as applicable) | ✓ |
| Adequate potable water supply | ✓ |
| Functioning indoor sink with faucets for both hot and cold water with paper towel supply. | ✓ |
| Functioning hot water source. | ✓ |
| Functioning indoor flushing toilet with toilet paper supply | ✓ |

(1) As required by local code.

(2) If window air conditioning is provided, provide a separate unit for each room.

Delete Table 637-1 and substitute the following:

**Table 637-2
Minimum Facility Furnishings**

| Property | Size or Quantity |
|---|-------------------------|
| File cabinet, 2-drawer, fire resistant, metal, with lock & keys | 2 |
| File cabinet, 4-drawer, fire resistant, metal, with lock & key | 1 |
| Table, 30 in. wide x 98 in. long x 30 in. high | 2 |
| Desk lamp ⁽¹⁾ | 2 |
| Desk, 12-square foot ⁽¹⁾ | 2 |
| Rolling office chair ⁽¹⁾ | 3 |
| Office chair ⁽¹⁾ | 4 |

| Property | Size or Quantity |
|---|------------------|
| Storage cabinet, 72 in. wide × 36 in. high × 18 in. deep | 1 |
| Book case, 72 in. wide x 48 in. high x 16 in. deep | 1 |
| Small metal office trash cans | 3 |
| Fire extinguisher | 1 |
| Compact refrigerator, 2.4 cubic feet | 1 |
| Microwave, 1.1 cubic feet and 1000 Watts of cooking power | 1 |

(1) Meet industry standards for ergonomics.

637.04 Services.

(b). Communications. Add the following:

Furnish the following communication equipment and services in the Government field office:

(1) High-speed Internet access. One high-speed Internet service system with the following minimum capabilities:

- (a) Download speed of 25,000 kilobits per second;
- (b) Upload speed of 10,000 kilobits per second;
- (c) Digital Subscriber Line (DSL), Fiber Optic Service (FIOS), a dedicated Transmission System 1 (T1), cable Internet service, or mobile hotspot (mifi);
- (d) Equipped with a modem and a router with a firewall or a router and a firewall appliance;
- (e) Router with Internet Protocol Version 6 (IPv6) capable, Wi-Fi Protected Access II (WPA2) or higher encryption, Simple Network Management Protocol (SNMP) Monitoring, Dynamic Host Configuration Protocol (DHCP), and at least Category 6 Registered Jack 45 (RJ45) LAN office drop cables; and
- (f) Supports simultaneous Internet access of at least 3 workstations connected by Category 6 Registered Jack 45 (RJ45) LAN office drop cables.

Alternate Internet access service options may be submitted to the CO for approval.

Section 702. — ASPHALT MATERIAL

702.01 Asphalt Binder. Delete the Subsection and add the following:

702.01 Asphalt Binder. Conform to M 320, Table 1.

In AASHTO M 320, Table 1 replace footnote g with the following:

^s If the creep stiffness is below 300 MPa, the direct tension test is not required. If the creep stiffness is between 301 and 600 MPa, the creep stiffness value shall be used. The *m*-value requirement must be satisfied in both cases.

Section 703. — AGGREGATE

703.01 Add the following:

703.01 Fine Aggregate for Concrete.

- (c) Sand equivalent value, AASHTO T 176, 75 min.
Alternate Method No. 2

Section 704. — SOIL

704.08 Select Granular Backfill.

(a) **Quality requirements.** Delete lines (2) and (4) and substitute the following:

- (2) Peak shear maximum angle of internal friction 32° min.
on the portion passing the No. 4 sieve, AASHTO T 236

- (4) Plastic index, AASHTO R 58 and T 90 6 max.

(a) **Quality requirements.** Delete line (5)

(a) **Quality requirements.** Add line (6):

- (6) Liquid limit, AASHTO R 58 and T 89 30 max.

(a) **Quality requirements.** Delete Table 704-2 and substitute the following:

Table 704-2
Select Granular Backfill Gradation

| Sieve Size | Percent by Mass Passing Designated Sieve (AASHTO T 27 & AASHTO T 11) |
|-----------------|--|
| 4 inch (100 mm) | 100 |
| No. 40 (425 µm) | 0 – 50 |
| No. 200 (75 µm) | 0.0 – 25.0 |

(b) Electrochemical requirements for MSE walls with metallic reinforcements. Delete the Note and substitute the following:

Note: Tests for sulfate and chloride content are not required when the pH is between 6.0 and 8.0 and resistivity is greater than 5000 ohm centimeters.

Section 705. — ROCK

Add the following:

705.08 Wall Facing Fill. Furnish hard, durable, angular rock that is free of organic or other unsuitable material. Angular rock is characterized by sharp, clean edges at the intersections of relatively flat surfaces. Do not use shale, rock with shale seams, or other fissile or fissured rock that may break into smaller pieces in the process of handling and placing. Conform to the following:

(a) Gradation. Furnish rock with breadth and thickness at least one-third its length with a 6 in (150 mm) maximum dimension. Ensure that 95 percent of wall facing fill particles minimum dimension exceeds welded wire facing opening with remaining 5 percent exceeding one-half welded wire facing opening.

(b) Soundness of aggregate using sodium sulfate, AASHTO T 104 (5 cycles) 15 percent loss max.

(c) Los Angeles abrasion, AASHTO T 96 50 percent max.

Section 713. — ROADSIDE IMPROVEMENT MATERIAL

713.04 Seed. Add the following:

Use the following seed mix:

| SPECIES | | | FAMILY | FORM | APPLICATION RATE POUNDS/ACRE |
|---|------------------------------|------------|--------------|-------|---------------------------------|
| SCIENTIFIC NAME | COMMON NAME | USDA CODES | | | |
| GRASSES | | | | | |
| <i>Bromus sitchensis</i> var. <i>carinatus</i> | California brome | BRCA5 | Poaceae | PG | 7 |
| <i>Elymus glaucus</i> ssp. <i>glaucus</i> | blue wild-rye | ELGLG | Poaceae | PG | 5 |
| <i>Festuca microstachys</i> | desert fescue | FEMI2 | Poaceae | AG | 2 |
| <i>Stipa pulchra</i> | purple needle grass | STPU2 | Poaceae | PG | 7 |
| <i>Melica imperfecta</i> | little California melica | MEIM | Poaceae | PG | 2 |
| <i>Stipa lepida</i> | foothill needle grass | NALE2 | Poaceae | PG | 5 |
| LEGUMES | | | | | |
| <i>Acmispon glaber</i> | deerweed | LOSC2 | Fabaceae | PF/SS | 2 |
| <i>Acmispon strigosus</i> | strigose bird's-foot trefoil | LOST4 | Fabaceae | AF | 2 |
| <i>Lupinus albifrons</i> | silver bush lupine | LUAL4 | Fabaceae | S | 1 |
| <i>Trifolium gracilentum</i> | pinpoint clover | TRGR2 | Fabaceae | AF | 2 |
| <i>Acmispon americanus</i> var. <i>americanus</i> | Spanish Clover | LOPU3 | Fabaceae | AF | 1 |
| <i>Lupinus nanus</i> | sky lupine | LUNA3 | Fabaceae | AF | 1 |
| <i>Trifolium willdenovii</i> | tomcat clover | TRWI3 | Fabaceae | AF | 2 |
| SHRUBS | | | | | |
| <i>Artemisia californica</i> | California sagebrush | ARCA11 | Asteraceae | S | 2 |
| <i>Eriogonum fasciculatum</i> | California buckwheat | ERFA2 | Polygonaceae | S/SS | 2 |
| <i>Hesperoyucca whipplei</i> | chaparral yucca | HEWH | Agavaceae | S | 2 |
| <i>Salvia mellifera</i> | black sage | SAME3 | Lamiaceae | S | 2 |
| <i>Baccharis pilularis</i> | coyote brush | BAPI | Asteraceae | S | 1 |
| <i>Frangula californica</i> | California coffee berry | FRCA12 | Rhamnaceae | S | 1 |
| MILKWEEDS FOR MONARCHS | | | | | |
| <i>Asclepias fascicularis</i> | narrow-leaf milkweed | ASFA | Apocynaceae | PF | 2 |
| <i>Asclepias eriocarpa</i> | kotolo | ASER | Apocynaceae | PF | 2 |
| TOTAL APPLICATION RATE FOR 13 SPECIFIED SPECIES | | | | | 38 |
| - shaded/highlighted species serve as alternatives for the seed mix, if any of the specified species are not available. | | | | | |

Provide a locally available commercial seed mix to be approved by the CO prior to placement. The recommended rate is 38 lbs of seed per acre and this should be combined with fertilizer at the rate of 500 lbs/acre.

713.16 Silt Fence. Delete Subsection (a) and substitute the following:

(a) Geotextile. Conform to Table 8 of AASHTO M 288.

Section 718. — TRAFFIC SIGNING AND MARKING MATERIAL

718.01 Retroreflective Sheeting. Add the following:

Furnish fluorescent type sheeting for all signs and all devices specifying an orange or a yellow background.

APPENDIX A

Fire Plan

FIRE PLAN FOR CONSTRUCTION AND SERVICE CONTRACTS
02/18/2023

1. **SCOPE:**

The provisions set forth below outline the responsibility for fire prevention and suppression activities and establish a suppression plan for fires within the contract area. The contract area is delineated by map in the contract. The provisions set forth below also specify conditions under which contract activities will be curtailed or shut down.

2. **RESPONSIBILITIES:**

A. Contractor

- (1) Shall abide by the requirements of this Fire Plan.
- (2) Shall take all steps necessary to prevent his/her employees, subcontractors and their employees from setting fires not required in completion of the contract, shall be responsible for preventing the escape of fires set directly or indirectly as a result of contract operations, and shall extinguish all such fires which may escape.
- (3) Shall permit and assist in periodic testing and inspection of required fire equipment. Contractor shall certify compliance with specific fire precautionary measures in the fire plan, before beginning operations during Fire Precautionary Period and shall update such certification when operations change.
- (4) Shall designate in the Fire Plan and furnish on Contract Area, during operating hours, a qualified fire supervisor authorized to act on behalf of Contractor in fire prevention and suppression matters.

B. Forest Service

The Forest Service may conduct one or more inspections for compliance with the Fire Plan. The number, timing, and scope of such inspections will be at the discretion of agency employees responsible for contract administration. Such inspections do not relieve the Contractor of responsibility for correcting violations of the fire plan or for fire safety in general, as outlined in paragraph 2.A above.

3. **DEFINITIONS:**

The following definitions shall apply:

Active Landing: A location the contractor may be skidding logs into, or performing other operations such as delimiting, log manufacturing, and chipping logs. Except for EV and E days, loading logs or stockpiling chips only, on a cleared landing, does not constitute an Active Landing.

Hot Saw: A harvesting system that employs a high-speed (>1100 rpm) rotating felling head, i.e., full rotation lateral tilt head.

Mechanical Operations: The process of felling, skidding, chipping, shredding, masticating, piling, log processing and/or yarding which requires the use of motorized power which includes, chainsaws, chippers, motorized carriages, masticators, stroke delimiters, skidders, dozers etc.

4. **TOOLS AND EQUIPMENT:**

The Contractor shall comply with the following requirements during the fire precautionary period, as defined by unit administering contracts:

The Fire Precautionary Period is set by the State of California which is April 1 through December 1 of any year.

- This contract requires, does not require, a Fire Box and associated Fire Tools according to CPRC Section 4428.

A. Fire Tools and Equipment: Contractor shall meet minimum requirements of Section 4428 of the California Public Resources Code (C.P.R.C.). Fire tools kept at each operating landing shall be sufficient to equip all employees in the felling, yarding, loading, chipping, and material processing operations associated with each landing. Fire equipment shall include two tractor headlights for each tractor dozer used in Contractor's Operations. Tractor headlights shall be attachable to each tractor and served by an adequate power source. All required fire tools shall be maintained in suitable and serviceable condition for fire fighting purposes.

Trucks, tractors, skidders, pickups and other similar mobile equipment shall be equipped with and carry at all times a size 0 or larger shovel with an overall length of not less than 46 inches and a 2-1/2 pound axe or larger with an overall length of not less than 28 inches.

Where cable yarding is used, Contractor shall provide a size 0 or larger shovel with an overall length of not less than 46 inches and a filled backpack can (4 or 5 gallon) with hand pump within 25 feet of each tail and corner block.

B. Fire Extinguishers: Contractor shall equip each internal combustion yarder, fuel truck, and loader with a fire extinguisher for oil and grease fires (4-A:60-B:C).

Skidders and tractors shall be equipped with a minimum 5-BC fire extinguisher.

All Fire Extinguishers shall be mounted, readily accessible, properly maintained and fully charged.

Contractor shall equip each mechanized harvesting machine with hydraulic systems, powered by an internal combustion engine (chipper, feller/buncher, harvester, forwarder, hot saws, stroke delimeter, etc), except tractors and skidders, with at least two 4-A:60-B:C fire extinguishers or equivalent.

C. Spark Arresters and Mufflers: Contractor shall equip each operating tractor and any other internal combustion engine with a spark arrester, except for motor vehicles equipped with a maintained muffler as defined in C.P.R.C. Section 4442 or tractors with exhaust-operated turbochargers. Spark Arresters shall be a model tested and approved under Forest Service Standard 5100-1a as shown in the National Wildlife Coordinating Group Spark Arrester Guide, Volumes 1 and 2, and shall be maintained in good operating condition. Every motor vehicle subject to registration shall at all times be equipped with an adequate exhaust system meeting the requirements of the California Vehicle Code.

D. Power Saws: Each power saw shall be equipped with a spark arrester approved according to C.P.R.C. Section 4442 or 4443 and shall be maintained in effective working order. An Underwriters Laboratories (UL) approved fire extinguisher containing a minimum 14 ounces of fire retardant shall be kept with each operating power saw. In addition, a size 0 or larger shovel with an overall length of not less than 38 inches shall be kept with each gas can but not more than 300 feet from each power saw when used off cleared landing areas.

- This contract requires, does not require, Section 4E of the Fire Plan.

E. Tank Truck or Trailer: Contractor shall provide a water tank truck or trailer on or in proximity to Contract Area during Contractor's Operations hereunder during Fire Precautionary Period. When Project Activity Level B, C, D, Ev or E is in effect, a tank truck or trailer shall be on or immediately adjacent to each active landing, unless otherwise excepted when Hot Saws or Masticators are being used. See Section 6 for specific contract requirements.

The tank shall contain at least 300 gallons of water available for fire suppression. Ample power and hitch shall be readily available for promptly and safely moving tank over roads serving Contract Area. Tank truck or trailer shall be equipped with the following:

- (1) Pump, which at sea level, can deliver 23 gallons per minute at 175 pounds per square inch measured at the pump outlet. Pumps shall be tested on Contract Area using a 5/16 inch orifice in the Forester One Inch In-Line Gauge test kit. Pump shall meet or exceed the pressure value in the following table for nearest temperature and elevation:

| T e m p | Sea Level | | 1000 Feet | | 2000 Feet | | 3000 Feet | | 4000 Feet | | 5000 Feet | | 6000 Feet | | 7000 Feet | | 8000 Feet | | 9000 Feet | | 10000 Feet | |
|------------------|-----------|----|-----------|----|-----------|----|-----------|----|-----------|----|-----------|----|-----------|----|-----------|----|-----------|----|-----------|----|------------|----|
| | | | | | | | | | | | | | | | | | | | | | | |
| 55 | 179 | 23 | 174 | 23 | 169 | 23 | 165 | 22 | 161 | 22 | 157 | 22 | 153 | 22 | 150 | 21 | 146 | 21 | 142 | 21 | 139 | 21 |
| 70 | 175 | 23 | 171 | 23 | 166 | 22 | 162 | 22 | 158 | 22 | 154 | 22 | 150 | 21 | 147 | 21 | 143 | 21 | 139 | 21 | 136 | 20 |
| 85 | 171 | 23 | 168 | 23 | 163 | 22 | 159 | 22 | 155 | 22 | 151 | 21 | 147 | 21 | 144 | 21 | 140 | 21 | 136 | 20 | 133 | 20 |
| 100 | 168 | 23 | 164 | 23 | 159 | 22 | 155 | 22 | 152 | 22 | 148 | 21 | 144 | 21 | 141 | 21 | 137 | 20 | 133 | 20 | 131 | 20 |
| | P | G | P | G | P | G | P | G | P | G | P | G | P | G | P | G | P | G | P | G | P | G |
| | S | P | S | P | S | P | S | P | S | P | S | P | S | P | S | P | S | P | S | P | S | P |
| | I | M | I | M | I | M | I | M | I | M | I | M | I | M | I | M | I | M | I | M | I | M |

The pump outlet shall be equipped with 1-1/2 inch National Standard Fire Hose thread. A bypass or pressure relief valve shall be provided for other than centrifugal pumps.

- (2) 300 feet of 3/4-inch inside diameter rubber-covered high-pressure hose mounted on live reel attached to pump with no segments longer than approximately 50 feet, when measured to the extreme ends of the couplings. Hose shall have reusable compression wedge type 1-inch brass or lightweight couplings (aluminum or plastic). One end of hose shall be equipped with a coupling female section and the other end with a coupling male section. The hose shall, with the nozzle closed, be capable of withstanding 200 PSI pump pressure without leaking, distortions, slipping of couplings, or other failures.
- (3) A shut-off combination nozzle that meets the following minimum performance standards when measured at 100 P.S.I. at the nozzle:

| | G.P.M. | Horizontal Range |
|-----------------|--------|------------------|
| Straight Stream | 10 | 38 feet |
| Fog Spray | 6 - 20 | N/A |

- (4) Sufficient fuel to run the pump at least 2 hours and necessary service accessories to facilitate efficient operation of the pump.

When Contractor is using Hot Saws or Masticators, an additional 250 feet of light weight hose, approved by the Forest Service, shall be immediately available for use and be capable of connecting to the 300 feet of hose and appurtenances in (2) and (3) above.

This equipment and accessories shall be deliverable to a fire in the area of operations and is subject to the requirements for each specific activity level identified in Section 6.

F. Compressed Air Foam System: A Compressed Air Foam System (CAFS) is a fire suppression system where compressed air is added to water and a foaming agent. By agreement, Contractor may substitute a CAFS or functional equivalent in lieu of the tank truck, trailer or fire extinguishers, provided it meets or exceeds the following specifications and requirements:

1. Variable foam expansion ratio – 10:1 to 20:1.
2. Units shall be kept fully charged with air; water and foam concentrate as recommended by the manufacturer and have the appropriate tools to service the system.
3. The unit shall contain enough energy to empty tank and clear hose prior to exhausting propellant.
4. The unit shall be capable of being completely recharged within 10 minutes.
5. When used on cable yarding landings, the unit shall be outfitted for immediate attachment to carriage and transported without damage to the unit.

Fire extinguishers required for Hot Saws, Masticators and similar equipment identified in Section 4 B. above may be substituted with a 3 gallon CAFS.

Tank truck, trailer or equivalent may be substituted with a 30 Gallon CAFS with at least 550 feet of one inch hose and an adjustable nozzle with enough water, air and foam concentrate for at least one recharge.

This equipment and accessories shall also be deliverable to a fire in the area of operations and subject to the requirements for each specific activity level identified in Section 6.

5. **GENERAL**

- A. **State Law:** In addition to the requirements in this Fire Plan, the Contractor shall comply with all applicable laws of the State of California. In particular, see California Public Resource Codes.
- B. **Permits Required:** The Contractor must secure a special written permit from the District Ranger or designated representative before burning, welding or cutting metal or starting any warming fires. If contract requires Blasting and Storing of Explosives and Detonators, an Explosives Permit may be required pursuant to the California Health and Safety Code, Section 12101.
- C. **Blasting:** Contractor shall use electric caps only unless otherwise agreed in writing. When blasting is necessary in slash areas, a Fire Patrolperson equipped with a size 0 or larger shovel with an overall length of not less than 46 inches and a filled backpack can (4 or 5 gallon) with hand pump shall remain in the immediate area for an hour after blasting has been completed.
- D. **Smoking:** Smoking shall not be permitted during fire season, except in a barren area or in an area cleared to mineral soil at least three feet in diameter. In areas closed to smoking, the CO may approve special areas to be used for smoking. The Contractor shall sign designated smoking areas. Contractor shall post signs regarding smoking and fire rules in conspicuous places for all employees to see. Contractor's supervisory personnel shall require compliance with these rules. Under no circumstances shall smoking be permitted during fire season while employees are operating light or heavy equipment, or walking or working in grass and woodlands.
- E. **Storage and Parking Areas.** Equipment service areas, parking areas, and gas & oil storage areas shall be cleared of all flammable material for a radius of at least 10 feet unless otherwise specified by local administrative unit. Small mobile or stationary internal combustion engine sites shall be cleared of flammable material for a slope distance of at least 10 feet from such engine. The COR shall approve such sites in writing.
- F. **Reporting Fires:** As soon as feasible but no later than 15 minutes after initial discovery, Contractor shall notify Forest Service of any fires on Contract Area or along roads used by Contractor. Contractor's employees shall report all fires as soon as possible to any of the following Forest Service facilities and/or personnel listed below, but not necessarily in the order shown:

| | Name | Office Address | Office telephone |
|-------------------------------------|---------------------------------|---|-----------------------|
| Dispatch Center | Los Padres N.F. Dispatch | | (805) 961-5727 |
| Nearest FS Station | Monterey Ranger District Office | 406 S. Mildred Ave King City, CA 93930 | (831) 385-5434 |
| Nearest Forest Service Fire Station | Pacific Valley Fire Station | 68501 Hwy 1 Big Sur, CA 93920 | (805) 927-3434 |
| Inspector | TBD | | TBD |
| COR | | | |
| District Ranger | John 'Fin' Eifert | 406 S. Mildred Ave King City, CA 93930 | (805) 680-9022 |

When reporting a fire, provide the following information:

- Your Name
- Call back telephone number
- Project Name
- Location: Legal description (Township, Range, Section); and Descriptive location (Reference point)
- Fire Information: Including Acres, Rate of Spread and Wind Conditions.

▪ **This contract requires, does not require, Section 5G of the Fire Plan.**

G. **Communications:** Contractor shall furnish a serviceable telephone, radio-telephone or radio system connecting each operating side with Contractor's headquarters. When such headquarters is at a location which makes communication to it clearly impractical, Forest Service may accept a reasonable alternative location. The communication system shall provide prompt and reliable communications between Contractor's headquarters (or agreed to alternative) and Forest Service via commercial or Forest Service telephone.

▪ **This contract requires, does not require, Section 5H of the Fire Plan.**

H. **Fire Patrolperson:** Contractor shall furnish a qualified fire patrolperson each operating day when Project Activity Level C, D, Ev or E is in effect. When on duty, sole responsibility of patrolperson shall be to patrol the operation for prevention and detection of fires, take suppression action where necessary and notify the Forest Service as required. This Fire patrol is required on foot, unless otherwise agreed. By agreement, one patrolperson may provide patrol on this and adjacent projects. No patrolperson shall be required on Specified Road construction jobs except during clearing operations unless otherwise specified.

The Contractor shall, prior to commencing work, furnish the following information relating to key personnel:

| <u>Title</u> | <u>Name</u> | <u>Telephone Number</u> |
|--------------------------|-------------|-------------------------|
| Fire Supervisor | | |
| Fire Patrolperson | | |

I. **Clearing of Fuels:** Contractor shall clear away, and keep clear, fuels and logging debris as follows:

| | |
|---|--|
| Welding equipment and stationary log loaders, yarders and other equipment listed in California State Law: | 10 feet slope radius |
| Tail or corner haulback blocks: | All running blocks shall be located in the center of an area cleared to mineral soil at least 15 feet in diameter. |
| Lines near, between or above blocks: | Sufficient clearing to prevent line from rubbing on snags, down logs and other dead woody material. |

6. **EMERGENCY PRECAUTIONS**

Contractor's Operations shall conform to the limitations or requirements in the Project Activity Level (PAL) table below. Project Activity Levels applicable to this project shall be the predicted activity levels for the Fire Danger Rating Area(s), or fire weather station(s) stated in the Contract Area Map Legend on Integrated Resource Service Contracts (IRSC's), and other contracts where applicable.

Fire Danger Rating Area/Fire Weather Station for Project

FDRA 560 & 507 /

**Monterey County Fire Weather
Zone 517 NOAA & NWS**

The Forest Service, in its sole discretion, may change the predicted activity level if the current fire suppression situation, weather and vegetation conditions warrant an adjustment. If practicable, Forest Service will determine the following day's activity level by 6:00 PM. Contractor shall obtain the predicted Project Activity Level from the appropriate Ranger District Office before starting work each day.

Phone Number or Website to obtain Predicted Activity Levels:

**805-938-9142 or
<https://gacc.nifc.gov/oscc/ecc/lpcc/intelligence.php>**

Forest Service may change the Project Activity Level Table to other values upon revision of the National Fire Danger Rating System. When Contractor is notified, the revised Project Activity Levels will supersede the levels in the Project Activity Level Table below.

PROJECT ACTIVITY LEVEL

| Level | <i>Project Activity Minimum Requirements and Restrictions. Restrictions at each level are cumulative.</i> |
|--------------|---|
| A | Minimum requirements noted above in Sections 4 and 5. |
| B | 1. Tank truck, trailer, or approved CAFS substitute shall be on or adjacent to the Active Landing. |
| C | 1. When Hot Saws or Masticators are operating, a tank truck, trailer, or approved CAFS substitute shall be within ¼ mile of these operations. Effective communications shall exist between the operator and the Active Landing. 2. Immediately after Mechanical Operations cease, Fire patrol is required for two hours. |
| D | 1. Immediately after Hot Saw or Masticator operations cease, Fire patrol is required for three hours. 2. No Dead Tree felling after 1:00 PM, except recently dead. 3. No burning, blasting, welding or cutting of metal after 1:00 PM, except by special permit. |

| Level | Project Activity Minimum Requirements and Restrictions. Restrictions at each level are cumulative. |
|--------------|--|
| Ev | <p>1. The following activities may operate all day:</p> <ul style="list-style-type: none"> a) Loading and hauling logs decked at approved landings. b) Loading and hauling chips stockpiled at approved landings. c) Servicing equipment at approved sites. d) Dust abatement, road maintenance (Chainsaw use prohibited), culvert installation within cleared area, chip sealing, paving, earth moving or rock aggregate stock pile loading and installation (does not include pit or quarry development). e) Chainsaw and log processing operations associated with loading logs or other forest products at approved landings. <p>2. Hot Saws or Masticators may operate until 1:00 PM; provided that:</p> <ul style="list-style-type: none"> a) A tractor with a blade or other equipment capable of constructing fireline is on or adjacent to the active landing or within ¼ mile of the operating equipment. This piece of equipment shall have effective communication with the Hot Saw or Masticator. b) Any additional restrictions specified by the Forest. <p>3. All other conventional Mechanical Operations are permitted until 1:00 PM.</p> <p>4. Some operations may be permitted after 1:00 PM, on a case-by-case basis, under the terms of a PAL Ev Variance Agreement. Activities for which a Variance may be issued are:</p> <ul style="list-style-type: none"> • Rubber Tire Skidding • Chipping on Landings • Helicopter Yarding • Fire Salvage <p>When approved by a Line Officer, a Variance Agreement can be implemented when the criteria specified in the agreement are met and mitigation measures are in place. This approval is good for ten (10) days unless cancelled sooner or extended by the Contracting Officer for an additional ten (10) days. Variance approval can be withdrawn at the sole discretion of the Forest Service. Variance approval is contingent on the 7-day fire weather forecast, fuel conditions, site characteristics, current fire situation, state of Contractor's equipment for prevention and suppression readiness, type of operation and social and community considerations etc. (See attached Project Activity Level Variance Agreement).</p> |
| E | <p>The following activities may operate all day:</p> <ul style="list-style-type: none"> 1. Loading and hauling logs decked at approved landings. 2. Loading and hauling chips stockpiled at approved landings. 3. Servicing Equipment at approved sites. 4. Dust abatement, road maintenance (chainsaw use prohibited) or loading stock piles and rock aggregate installation (does not include pit or quarry development). 5. Chainsaw operation associated with loading at approved landings. <p>All other activities are prohibited.</p> |

This Project utilizes “The Project Activity Level” (PAL), an industrial operation’s fire precaution system. The following Climatology Chart indicates the Historic Activity Levels for the Project Fire Danger Rating Area or Fire Weather Station utilized on this Project. This is only a historical average of the Activity Levels for the identified Fire Danger Rating Area or Weather Station.

| Project Activity Level Climatology | | | | | | |
|---|------------------|----------|----------|----------|-----------------------------|----------|
| Fire Danger Rating Area/Weather Station | RAWS Data | | | | Years Analyzed 2006-2012 | |
| | A | B | C | D | Ev | E |
| | | | | | Days | |

| Month | Expected Days per Month at Each PAL Value | | | | | | Analyzed | |
|-----------|---|---|----|---|---|---|----------|--|
| July | 0 | 4 | 11 | 8 | 4 | 3 | 217 | |
| August | 0 | 4 | 12 | 7 | 7 | 0 | 217 | |
| September | 0 | 4 | 14 | 5 | 6 | 1 | 210 | |
| October | 2 | 5 | 12 | 7 | 4 | 1 | 217 | |
| | | | | | | | | |

Region 5 Project Activity Level (PAL) Ev Variance Application/Agreement

Project Name: _____
 Contract Number: _____
 Contractor Name: _____
 Request #__, for period: _____
 Units/Subdivisions Affected: _____

| Location of operation: | |
|---|--|
| Slope | |
| Aspect | |
| Elevation | |
| Fuels on site | |
| Fuels in surrounding area | |
| 7 Day PAL Outlook | |
| Short range predictions (Red Flags) | |
| Fuel Moistures | |
| Response time of suppression resources | |
| Potential for ignition | |
| RAWS location | |
| | |
| Current Fire Situation: | |
| Draw down information | |
| National Readiness Level | |
| | |
| Contractual considerations: | |
| Normal Operating Season | |
| Frequency of recent contract fires in area | |
| Type of operation | |
| Contractors past/current performance & equipment readiness | |
| Other site specific mitigation or precaution (i.e. Contractors proposals) | |
| | |
| Social & Community Considerations: | |
| Proximity of high value resources | |
| Sensitivity of location | |
| | |

Proposed Actions:

Description of Mitigation Measures:

Remarks:

Fire Management Officer Concurrence

Date

Line Officer Approval

Date

I have considered the above request and determined the specified mitigation measures or actions must be implemented to continue operations in Project Activity Level Ev. Unless extended, the approval remains in effect for ten (10) calendar days unless cancelled sooner or extended by the Forest Service for an additional ten (10) days. At the sole discretion of the Forest Service, this variance can be modified and/or cancelled at no cost to the government.

Contracting Officer

Date

Contractor Representative

Date

APPENDIX B

401 Permit



Central Coast Regional Water Quality Control Board

December 28, 2022

Curtis Scott
Federal Highway Administration (FHWA)
Central Federal Lands Highway Division
12300 W. Dakota Avenue
Lakewood, CO, 80228
Email: Curtis.scott@dot.gov

VIA ELECTRONIC MAIL

Dear Curtis Scott:

WATER QUALITY CERTIFICATION NO. 32722WQ11 FOR NACIMIENTO-FERGUSON ROAD REPAIRS PROJECT, MONTEREY COUNTY

Thank you for the opportunity to review your December 13, 2022 application for water quality certification of the Nacimiento-Fergusson Road Repairs Project (Project). The application was completed on December 28, 2022. All supplemental information requested was received on December 28, 2022. The Project, if implemented as described in your application and with the additional mitigation and other conditions required by this Clean Water Act Section 401 Water Quality Certification (Certification), appears to be protective of beneficial uses of State waters. We are issuing the enclosed Certification. Should new information come to our attention that indicates a water quality problem, we may require additional monitoring and reporting, issue waste discharge requirements, or take other action.

Your Certification application and submitted documents indicate that Project activities have the potential to affect beneficial uses and water quality. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) issues this Certification to protect water quality and associated beneficial uses from Project activities. We need reports to determine compliance with this Certification. All technical and monitoring reports requested in this Certification, or any time after, are required per section 13383 of the California Water Code. Failure to submit reports required by this Certification, or failure to submit a report of technical quality acceptable to the Executive Officer, may subject you to enforcement action per section 13385 of the California Water Code.

Any person affected by this Central Coast Water Board action may petition the State Water Resources Control Board (State Water Board) to review this action in accordance with California Water Code section 13320; and Title 23, California Code of Regulations, sections 2050 and 3867-3869. The State Water Board, Office of Chief Counsel, PO Box 100, Sacramento, CA 95812, must receive the petition within 30 days of the date of this Certification. We will provide upon request copies of the law and regulations applicable to filing petitions.

In compliance with Title 40, Code of Federal Regulations (CFR) Part 121.7(d)(2), an explanation for each certification condition is provided in Attachment A.

JANE GRAY, CHAIR | MATTHEW T. KEELING, EXECUTIVE OFFICER

If you have questions, please contact **Genevieve Holdridge** at (805) 549-3372 or via email at Genevieve.Holdridge@waterboards.ca.gov, or Phil Hammer at (805) 549-3882. Please mention the above certification number in all future correspondence pertaining to this Project.

Sincerely,

for
Matthew T. Keeling
Executive Officer

Enclosure: Action on Request for CWA Section 401 Water Quality Certification

cc: With enclosures

Julie Vance, CA Department of Fish and Wildlife: Julie.Vance@wildlife.ca.gov

Linda Connolly, CA Department of Fish and Wildlife: Linda.Connolly@wildlife.ca.gov

Randy Lovell, CA Department of Fish and Wildlife, State Aquaculture Coordinator:
Randy.Lovell@wildlife.ca.gov

U.S. Environmental Protection Agency: R9cwa401@epa.gov

CWA Section 401 WQC Program, SWRCB: Stateboard401@waterboards.ca.gov

Jackson Welch, Central Coast Water Board: Jackson.Welch@waterboards.ca.gov

Genevieve Holdridge, Central Coast Water Board: Genevieve.Holdridge@waterboards.ca.gov

Phil Hammer, Central Coast Water Board: Phillip.Hammer@waterboards.ca.gov

Action on Request for
Clean Water Act Section 401 Water Quality Certification
for Discharge of Dredged and/or Fill Materials

PROJECT: Nacimiento-Fergusson Road Repairs

PERMITTEE: Curtis Scott
Federal Highway Administration (FHWA)
Central Federal Lands Highway Division
12300 W. Dakota Avenue
Lakewood, CO, 80228

ACTION:

1. Order for Standard Certification
2. Order for Technically Conditioned Certification
3. Order for Denial of Certification

STANDARD CONDITIONS:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment per section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This Certification action is not intended to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed per 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license was being sought.
3. The validity of any non-denial Certification action (Actions 1 and 2) is conditioned upon total payment of the fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

ADMINISTRATIVE CONDITIONS:

1. This Certification is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any conditions contained in any other permit or approval issued by the State of California or any subdivision thereof may result in the revocation of this Certification and civil or criminal liability.
2. In the event of a violation or threatened violation of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with

the water quality standards and other pertinent requirements incorporated into this Certification.

3. In response to a suspected violation of any condition of this Certification, the Central Coast Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the Central Coast Water Board deems appropriate, provided that the burden, including costs, of the reports shall have a reasonable relationship to the need for the reports and the benefits obtained from the reports.
4. In response to any violation of the conditions of this Certification, the Central Coast Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.
5. The Central Coast Water Board reserves the right to suspend, cancel, or modify and reissue this Certification, after providing notice to the Permittee, if the Central Coast Water Board determines that the Project fails to comply with any of the terms or conditions of this Certification.
6. A copy of this Certification, the application, and supporting documentation must be available at the Project site during construction for review by site personnel and agencies. A copy of this Certification must also be provided to the contractor and all subcontractors who will work at the Project site. All personnel performing work on the proposed Project shall be familiar with the content of this Certification and its posted location on the Project site.
7. The Permittee shall grant the Central Coast Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, permission to enter the Project site at reasonable times, to ensure compliance with the terms and conditions of this Certification and/or to determine the impacts the Project may have on waters of the State.
8. The Permittee must, at all times, fully comply with the application, engineering plans, specifications, and technical reports submitted to support this Certification; all subsequent submittals required as part of this Certification; and the attached Project Information and Conditions. The conditions within this Certification and attachment(s) supersede conflicting provisions within Permittee submittals.
9. The Permittee shall notify the Central Coast Water Board within 24 hours of any unauthorized discharge to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional best management practices (BMPs) or other measures that will be implemented to prevent future discharges.
10. This Certification is not transferable to any person except after notice to the Executive Officer of the Central Coast Water Board. The Permittee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new responsible party containing a specific date for the transfer of this Certification's responsibility and coverage between the current responsible party and the new responsible party. This agreement shall include an acknowledgement that

the existing responsible party is liable for compliance and violations up to the transfer date and that the new responsible party is liable from the transfer date on.

11. This Order and conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law. This Order expires if Project construction does not begin within five years from the date of this Order.
12. The total certification fee for this Project is \$0. The remaining certification fee payable to the Central Coast Water Board is \$0.

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:

The Central Coast Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15301(c). Additionally, the Central Coast Water Board concludes that no exceptions to the CEQA exemption apply to the activities approved by this Order.

CENTRAL COAST WATER BOARD CONTACT PERSON:

Genevieve Holdridge
(805) 549-3372
Genevieve.Holdridge@waterboards.ca.gov

Please refer to the above certification number when corresponding with the Central Coast Water Board concerning this Project.

WATER QUALITY CERTIFICATION:

I hereby issue an order certifying that as long as all the conditions listed in this Certification are met, any discharge from the Nacimiento-Fergusson Road Repairs Project shall comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ, which requires compliance with all conditions of this Certification.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the Permittee's Project description, Certification conditions, and the attached Project Information and Conditions, and (b) compliance with all applicable requirements of the Central Coast Water Board's policies and Water Quality Control Plan (Basin Plan).

for
Matthew T. Keeling
Executive Officer
Central Coast Water Board

PROJECT INFORMATION AND CONDITIONS

| | |
|------------------------------------|--|
| Application Date | Received: December 13, 2022 Completed: December 28, 2022 |
| Permittee | Curtis Scott Federal Highway Administration (FHWA) Central Federal Lands Highway Division 12300 W. Dakota Avenue Lakewood, CO, 80228 Email: Curtis.scott@dot.gov 720.963.3558 |
| Permittee Representatives | Leslie Perry Federal Highway Administration (FHWA) Central Federal Lands Highway Division 12300 W. Dakota Avenue Lakewood, CO, 80228 Leslie.perry@dot.gov 720.963.3734 |
| Project Name | Nacimiento-Fergusson Road Repairs |
| Application Number | 32722WQ11 |
| Type of Project | Transportation – Roads, Highways and Bridges |
| Project Location | Los Padres National Forest Latitude: 35.99829 Longitude: -121.46342 |
| County | Monterey |
| Receiving Water(s) | <ul style="list-style-type: none"> - Eight unnamed streams tributary to the Nacimiento River; Salinas Hydrologic Unit (309); Paso Robles Hydrologic Area (309.8); Atascadero Hydrologic Sub-area (309.83) - One unnamed stream tributary to Mill Creek; Santa Lucia Hydrologic Unit (308.00) |
| Water Body Type | Streambed, river |
| Designated Beneficial Uses | All unnamed streams: Municipal and Domestic Water Supply Protection of both recreation and aquatic life |
| Project Description (purpose/goal) | <p>The purpose of this Project is to repair damaged sections and crossings along Nacimiento-Fergusson Road caused by a heavy precipitation event in January 2021 that followed fires in 2020.</p> <p>The Central Coast Regional Water Quality Control Board (Central Coast Water Board) understands that the Project includes the following activities:</p> <ol style="list-style-type: none"> 1. Conduct repair work at 12 locations along Nacimiento-Fergusson Road including: <ol style="list-style-type: none"> a. Remove debris from streambed b. Re-construct embankment c. Replace culvert d. Install wall e. Patch and pave asphalt |

| | <ol style="list-style-type: none"> 2. Restore original alignment and drainage with improved safety and stabilization features 3. Construct mechanically stabilized earth or similar walls to stabilize steep slopes 4. Install culverts with larger capacity that meet current design standards | | | | | | | | |
|---|--|---------------------|-----------------|-----------------------|------|-------|-------------------------------------|----|----|
| U.S. Army Corps of Engineers Permit No. | Nationwide Permit 14 – Linear Transportation Projects | | | | | | | | |
| CEQA Information | Categorical Exemption 15301(c) Lead Agency: Central Coast Water Board | | | | | | | | |
| Total Certification Fee | \$0 | | | | | | | | |
| Total Authorized Project Fill/Excavation Quantity | | | | | | | | | |
| Aquatic Resource Type | Temporary Impact | | | Permanent Impact | | | | | |
| | | | | Physical Loss of Area | | | Degradation of Ecological Condition | | |
| | Acres | CY ¹ | LF ¹ | Acres | CY | LF | Acres | CY | LF |
| Stream Channel | 0.05 | | 181 | 0.048 | 231 | 273 | | | |
| Required Project Mitigation Quantity for Temporary Impacts | | | | | | | | | |
| Aquatic Resource Type | Units | Method ² | | | | | | | |
| | | Est. | Re-est. | Reh. | Enh. | Pres. | | | |
| Stream Channel | Acres | | | 0.05 | | | | | |
| | LF | | | 181 | | | | | |
| Mitigation Requirements | <ol style="list-style-type: none"> 1. The Permittee shall implement restoration installation, maintenance, and monitoring as described in Restoration Plan dated December 2022. 2. Onsite restoration shall be installed within 12 months of completion of Project construction. | | | | | | | | |
| Project Requirements | <p><u>The Permittee shall comply with the following requirements:</u></p> <ol style="list-style-type: none"> 1. All personnel who engage in construction activities or their oversight at the Project site (superintendent, construction manager, foreman, crew, contractor, biological monitor, etc.) must attend trainings on the conditions of this Certification and how to perform their duties in compliance with those conditions. Every person shall attend an initial training within five working days of their start date at the Project site. Trainings shall be conducted by a qualified individual with expertise in 401 Water Quality Certification conditions and compliance. 2. All work performed within waters of the State shall be completed in a manner that minimizes impacts to beneficial uses and habitat. Measures shall be employed to minimize land disturbances that will adversely impact the water quality of waters of the State. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation. 3. Portions of the Project that occur below top of creek banks or in other waters of the State shall be stabilized for the winter prior to October 31 of | | | | | | | | |

¹ Cubic Yards (CY); Linear Feet (LF)

² Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.)

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| | <p>each year, either by completing construction of those portions of the Project (including installation of permanent erosion control measures) or by implementing winterization stabilization measures capable of effectively stabilizing the area and preventing erosion under winter rain and flow conditions generated by the 10-year 24-hour storm event. No construction activities shall be conducted below top of creek banks or in other waters of the State during the winter period (October 31 – May 1), unless prior written approval has been obtained from the Central Coast Water Board. Requests to conduct construction activities below top of creek banks or in other waters of the State during the winter period shall be submitted to the Central Coast Water Board at least 21 days prior to the planned winter period work date. If approval is obtained, the Permittee shall implement the approved winter work as specified in the Central Coast Water Board approval and as described in any documentation submitted by the Permittee while seeking the approval.</p> <ol style="list-style-type: none"> 4. Erosion and sediment control measures shall be on site prior to the start of construction and kept on site at all times so they are immediately available for installation in anticipation of rain events. 5. The Permittee shall implement and maintain an effective combination of erosion and sediment control measures (e.g., revegetation, fiber rolls, erosion control blankets, hydromulching, compost, straw with tackifiers, temporary basins) to prevent erosion and capture sediment. The Permittee shall implement and maintain washout, trackout, dust control, and any other applicable source control BMPs. 6. Erosion and sediment control measures and other construction BMPs shall be implemented and maintained in accordance with all specifications governing their proper design, installation, operation, and maintenance. 7. At any time of year, the Permittee shall not conduct construction activities below top of creek banks or in other waters of the State during rain events or on any day for which the National Weather Service has predicted a 25% or more chance of at least 0.1-inch rain in 24 hours (Predicted Rain Event). The Permittee shall install effective erosion control, sediment control, and other protective measures no later than the day prior to the Predicted Rain Event, and prior to the start of any rainfall. Construction activities below top of creek banks or in other waters of the State may resume after the rain has ceased, the National Weather Service predicts clear weather for at least 24 hours, and site conditions are dry enough to continue work without discharge of sediment or other pollutants from the Project site. 8. Any material stockpiled that is not actively being used during construction shall be covered and surrounded with a linear sediment barrier. 9. The Permittee shall retain a spill plan and appropriate spill control and clean up materials (e.g., oil absorbent pads) onsite in case spills occur. 10. The Permittee shall confine all trash and debris in appropriate enclosed bins and dispose of the trash and debris at an approved site at least weekly. |
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| | <ol style="list-style-type: none"> 11. All construction vehicles and equipment used on site shall be well maintained and checked daily for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials. 12. The Permittee shall designate a staging area for equipment and vehicle fueling and storage at least 100 feet away from waterways, in a location where fluids or accidental discharges cannot flow into waterways. 13. All vehicle fueling and maintenance activity shall occur at least 100 feet away from waterways and in designated staging areas, unless a requested exception on a case-by case basis granted by prior written approval has been obtained from the Central Coast Water Board. 14. Dewatering and stream diversion measures are not currently authorized. If the Project requires dewatering or diversion, the Permittee shall submit detailed dewatering/ diversion plans for Central Coast Water Board approval at least 21 days prior to any dewatering or diversion. Dewatering/diversion plans shall include the area to be dewatered, timing of dewatering, and method of dewatering to be implemented. All temporary dewatering/diversion methods shall be designed to have the minimum necessary impacts to waters of the State to isolate the immediate work area. All dewatering/diversion methods shall be installed such that natural flow is maintained upstream and downstream of the Project area. Any temporary dams or diversions shall be installed such that the diversion does not cause sedimentation, siltation, or erosion upstream or downstream of the Project area. All dewatering/diversion materials, including sand or gravel from coffer dams, shall be removed immediately upon completion of dewatering/diversion activities. Dewatering or diversion shall not commence until the Permittee has obtained Central Coast Water Board approval of the dewatering/diversion plans. Any dewatering/diversion must be implemented in compliance with approved dewatering/diversion plans. 15. All post-construction BMPs shall be implemented and functioning prior to completion of the Project. 16. All construction-related equipment, materials, and any temporary BMPs no longer needed shall be removed and cleared from the site upon completion of the Project. 17. The Central Coast Water Board shall be notified if mitigations as described in the 401 Water Quality Certification application for this Project are altered by the imposition of subsequent permit conditions by any local, state or federal regulatory authority. The Permittee shall inform the Central Coast Water Board of any modifications that interfere with compliance with this Certification. |
| <p>Monitoring and Reporting Requirements</p> | <p>The Permittee shall conduct the following monitoring:</p> <ol style="list-style-type: none"> 1. Visually inspect the Project site and areas of waters of the State adjacent to Project impact areas following completion of Project construction and for two subsequent rainy seasons to ensure that the Project is not causing excessive erosion, stream instability, or other water quality impacts. If the Project does cause water quality impacts, contact the Central Coast Water Board staff member overseeing the Project. You will be responsible for implementing corrective measures to protect water quality and |

- obtaining any additional permits necessary corrective measure implementation.
2. Monitor the compensatory mitigation site for two years. If success criteria are not achieved within that time, continue annual monitoring and maintenance until success criteria are achieved. Compensatory mitigation monitoring shall include assessment of growth, survival, general health and stature, progress towards achieving success criteria, and any other measures identified in the Restoration Plan dated December 2022.

The Permittee shall provide the following reporting to RB3_401Reporting@waterboards.ca.gov [Note: Annual fees are based on submittal and approval of reporting item 1 below]:

1. **Certification Termination Report – To terminate Certification coverage, the Permittee must submit for Central Coast Water Board review and approval a Certification Termination Report demonstrating compensatory mitigation success criteria achievement and monitoring completion.** The Certification Termination Report shall include all information required for Annual Project Status Reports as specified below. The Certification Termination Report may serve as the final Annual Project Status Report. The Certification Termination Report submittal must include “Certification Termination Report” in the title.
2. **Annual Project Status Report – The Permittee shall submit to the Central Coast Water Board an Annual Project Status Report by May 31 of each year following the issuance of this Certification, regardless of whether Project construction has started or not.** At a minimum, Annual Project Status Reports shall address activities conducted during the prior calendar year. The Permittee shall submit Annual Project Status Reports until the Permittee has conducted all required monitoring, mitigation has achieved all success criteria, and the Permittee has submitted a Certification Termination Report. Each Annual Project Status Report shall include at a minimum:
 - a. The status of the Project (e.g., construction not started, construction started, or construction complete).
 - b. The date of construction initiation, if applicable.
 - c. The date of construction completion, if applicable.
 - d. If Project construction is complete:
 - i. A summary of daily activities, monitoring and inspection observations, and problems incurred and actions taken;
 - ii. Status of permanent post-construction stormwater management BMPs, including photo documentation of all BMPs;
 - iii. Identification of when site personnel trainings occurred, description of the topics covered during trainings, and confirmation that every person engaged in construction activities or their oversight at the Project site was trained initially.
 - iv. A description of the results of the annual visual inspection of the Project site and areas of waters of the State adjacent to Project impact areas, including:

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| | <ol style="list-style-type: none">1. Erosion conditions;2. Stream stability conditions;3. Water quality and beneficial use conditions;4. Clearly identified photo-documentation of all areas of permanent and temporary impact, prior to and after Project construction; and5. Clearly identified representative photo-documentation of other Project areas, prior to and after Project construction. <p>v. If the visual inspection monitoring period is over, but water quality problems persist, the Annual Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the Project is no longer causing excessive erosion, stream instability, or other water quality problems.</p> <p>e. Mitigation reporting, if mitigation installation has started, including the following information:</p> <ol style="list-style-type: none">i. Date mitigation installation was initiated and, if applicable, the date mitigation installation was completed;ii. Confirmation that mitigation was installed according to the requirements of this Certification and as described in the application, Restoration Plan dated December 2022, and any other associated submittals;iii. Analysis of monitoring data collected in the field;iv. Survival, general health and stature, and documentation of progress toward achieving all mitigation performance criteria;v. Qualitative and quantitative comparisons of current mitigation conditions with preconstruction conditions and previous mitigation monitoring results;vi. Any remedial or maintenance actions taken or needed;vii. Any additional information specified in the Restoration Plan dated December 2022; andviii. Annual photo-documentation representative of all mitigation areas, taken from vantage points from which changes in size and cover of plants are evident. Compare photos of installed mitigation with photos of the mitigation areas prior to installation. <p>f. A description of mitigation completion status that identifies the amount of mitigation monitoring and maintenance remaining, or certifies and demonstrates that mitigation is complete, all required mitigation monitoring and maintenance has been conducted, and all success criteria achieved. If the monitoring period is over, but all success criteria have not been achieved, the Annual Project Status Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the criteria are met.</p> |
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Attachment A - 40 CFR Part 121.7 Information

The purpose of Attachment A is to provide information pursuant to title 40, Code of Federal Regulations (40 CFR) part 121.7(d)(2), which necessitates that all Certification conditions be accompanied by an explanation of why the condition is necessary to assure that any discharge authorized under the Certification will comply with water quality requirements, and a citation to federal, state, or tribal law that authorizes the condition.

Notwithstanding any determinations by the U.S. Army Corps of Engineers or other federal agency made pursuant to 40 CFR section 121.9, dischargers must comply with the entirety of this Certification because the Certification also serves as waste discharge requirements in accordance with State Water Resources Control Board (State Water Board) Water Quality General Order No. 2003-0017-DWQ.

This attachment includes citations to some sources of authority that are applicable to all Certification conditions. These sources are specifically identified where they are most relevant but are also generally applicable to the conditions below. California Code of Regulations, title 23,³ chapter 28 sets forth regulations pertaining to water quality certifications. Conditions are set forth in this Certification to assure that the discharge complies with water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code. These conditions are also generally required to comply with the state's Anti-Degradation Policy (State Water Board Resolution No. 68-16), which requires that for any "activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the state will be maintained." All Regional Water Boards' Water Quality Control Plans incorporate the state's Anti-Degradation Policy by reference. The state Anti-Degradation Policy incorporates the federal Antidegradation Policy (40 CFR Part 131.12 (a)(1)), which requires "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." According to the United States Environmental Protection Agency (USEPA), discharges of dredged or fill material comply with the federal Antidegradation Policy by complying with USEPA's section 404(b)(1) Guidelines. The State Water Board adopted a modified version of USEPA's section 404(b)(1) Guidelines in the Dredge or Fill Procedures (State Supplemental Guidelines).

STANDARD CONDITIONS

Standard Condition No. 1

This is a standard condition that "shall be included as conditions of all water quality certification actions" (California Code of Regulations section 3860(a)).

³ Unless as otherwise noted, all citations are to title 23 of California Code of Regulations.

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Standard Condition No. 2

This is a standard condition that “shall be included as conditions of all water quality certification actions” (California Code of Regulations section 3860(a)).

Standard Condition No. 3

This is a standard condition that “shall be included as conditions of all water quality certification actions” (California Code of Regulations section 3860(a)). This fee requirement condition is also required pursuant to California Code of Regulations sections 3861(c)(4) and 3833(b), which require payment of fees by Project proponents discharging dredge or fill material.

ADMINISTRATIVE CONDITIONS

Administrative Condition No. 1

This condition is required pursuant to California Code of Regulations section 3856(e), which requires that copies be provided to the Water Boards of “any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents, if not finalized) that will be required for any construction, operation, maintenance, or other actions associated with the activity. If no final or draft document is available, a list of all remaining agency regulatory approvals being sought shall be included.”

Administrative Condition No. 2

This condition provides notice of the Water Boards’ rights to levee penalties as allowed by state law in order to protect water quality.

Administrative Condition No. 3

California Water Code section 13267 authorizes the Central Coast Water Board to require any person or entity who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within the region to furnish, under penalty of perjury, technical or monitoring reports when necessary to investigate the quality of any waters of the state. These reports are necessary to ensure compliance with water quality standards.

Administrative Condition Nos. 4, 5

In the event of non-compliance, modified conditions may be necessary to return the discharger to compliance and prevent violation of water quality standards. If a Permittee is violating the terms of a Certification that protect water quality standards, canceling the Certification halts authorization to discharge, which can ensure compliance with water quality standards. California Water Code section 13381 states that waste discharge requirements or dredged or fill material permits may be terminated or modified for cause, including, but not limited to, all of the following: (a) Violation of any condition contained in the requirements or permits; (b) Obtaining the requirements by misrepresentation, or failure to disclose fully all relevant facts; and (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

Administrative Condition No. 6

This condition requires site personnel and agencies to be familiar with the content of the Certification and availability of the document at the Project site. This condition is required to assure that any authorized discharge will comply with the terms and conditions of the Certification, which requires compliance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the California Water Code.

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Administrative Condition No. 7

Conditions related to site access requirements are authorized pursuant to the Central Coast Water Board's authority to investigate the quality of any waters of the state within its region under California Water Code section 13267. California Water Code section 13267(c) provides that "the regional board may inspect the facilities of any person to ascertain whether the purposes of this division are being met and waste discharge requirements are being complied with."

Administrative Condition No. 8

This Certification is issued based on information submitted by the applicant. If the applicant does not implement the Project in accordance with the submitted information, the Project may not comply with water quality standards. Therefore, the applicant must implement the Project as described in order for compliance with water quality standards to be assured, in accordance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the California Water Code.

Administrative Condition No. 9

This condition related to the accidental discharge of hazardous materials is necessary to assure that discharges comply with any water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code. Conditions related to notification and reporting requirements in the event of an accidental discharge of hazardous materials are required pursuant to section 13271 of the California Water Code, which requires immediate notification of the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the state toxic disaster contingency plan adopted pursuant to article 3.7 (commencing with Section 8574.16) of chapter 7 of division 1 of title 2 of the Government Code. These monitoring and reporting requirements are also consistent with the Central Coast Water Board's authority to investigate the quality of any waters of the state within its region under California Water Code sections 13267 and 13383. The reports related to accidental discharges also ensure that corrective actions, if any, that are necessary to minimize the impact or clean up such discharges can be taken as soon as possible in order to achieve compliance with water quality standards.

Administrative Condition No. 10

Authorization under this Certification is granted based on the application information submitted, including the legally responsible party. Notification is necessary to confirm whether the new owner wishes to assume legal responsibility for compliance with this Certification. If not, the original discharger remains responsible for compliance with this Certification. Correct identification of a legally responsible party is necessary to ensure compliance with water quality standards. California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification.

Administrative Condition No. 11

In accordance with State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ, waste discharge requirements are issued to all persons proposing to discharge dredged or fill material to waters of the United States where such discharge is also subject to the water quality certification requirements of Clean Water Act section 401 and such certification has been issued by the Central Coast Water Board. In order to meet the provisions contained in Division 7 of Clean Water Act and regulations adopted thereunder, Order No. 2003-0017-DWQ requires dischargers to implement all the terms and conditions of the applicable certification issued for

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the discharge irrespective of whether the federal license or permit for which the Certification was obtained is subsequently deemed invalid because the water body subject to the discharge has been deemed outside of federal jurisdiction. In addition, continued compliance with certification/waste discharge requirements is necessary, regardless of federal permit status, to ensure compliance with water quality standards is maintained.

Administrative Condition No. 12

This fee requirement condition is required pursuant to California Code of Regulations sections 3861(c)(4) and 3833(b), which require payment of fees by Project proponents enrolling in this Certification. Federal agencies are exempt from fees.

PROJECT INFORMATION AND CONDITIONS

Required Project Mitigation and Compensatory Mitigation Quantities; Compensatory Mitigation Requirements

Conditions related to restoration and/or mitigation of temporary impacts are required to assure that the discharge complies with water quality standards adopted or approved under sections 13170 or 13245 of the California Water Code. These conditions are also consistent with the Dredge or Fill Procedures, which require "in all cases where temporary impacts are proposed, a draft restoration plan that outlines design, implementation, assessment, and maintenance for restoring areas of temporary impacts to pre-project conditions" (Dredge or Fill Procedures section IV. A.2(d) and B.4). Restoration and/or mitigation of temporary impacts is necessary to control discharges of waste, such as sediment from disturbed areas, so that compliance with water quality standards is maintained. Restoration requirements for temporary impacts are also authorized by California Water Code section 13263, which requires the imposition of requirements that implement water quality control plans and take into consideration the beneficial uses to be protected and the need to prevent nuisance.

Conditions regarding compensatory mitigation are necessary to ensure compliance with state and federal anti-degradation policies. Compensatory mitigation requirements are consistent with State Supplemental Guidelines section 230.10 restrictions on discharge and Dredge or Fill Procedures section IV.B.1.a (California Code of Regulations section 3013), which specifies that the Water Boards will approve a project only after it has been determined that a sequence of actions has been taken to first avoid, then to minimize, and lastly to compensate for adverse impacts that cannot be practicably avoided or minimized (see also California Code of Regulations section 3856(h), requiring submittal of proposed mitigation and description of steps taken to avoid, minimize, or compensate). Compensatory mitigation conditions are consistent with Executive Order W-59-93, commonly referred to as California's "no net loss" policy for wetlands. Compensatory mitigation requirements are also authorized by California Water Code section 13263, which requires the imposition of requirements that implement water quality control plans and take into consideration the beneficial uses to be protected and the need to prevent nuisance.

Project Requirements

Project Requirement No. 1

This condition requires site personnel and agencies to be familiar with the content of the Certification. Familiarity with the requirements of this Certification is necessary to assure that any authorized discharge will comply with the terms and conditions of the Certification, which

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requires compliance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the California Water Code.

Project Requirement No. 2

Conditions related to compliance with water quality objectives and designated beneficial uses are required pursuant to the state's Anti-Degradation Policy (State Board Resolution No. 68-16), which requires that for any "activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the state will be maintained." The state Anti-Degradation Policy incorporates the federal Antidegradation Policy (40 CFR Part 131.12 (a)(1)), which states: "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." According to USEPA, dischargers of dredged or fill material comply with the federal Antidegradation Policy by complying with USEPA's section 404(b)(1) Guidelines. The State Water Boards adopted a modified version of USEPA's section 404(b)(1) Guidelines in the Dredge or Fill Procedures (State Supplemental Guidelines).

Project Requirements Nos. 3-8

Disturbed areas in delineated waters must be stabilized prior to a rainfall event to assure that sediment is controlled and the discharge from the proposed Project will comply with water quality objectives established for surface waters. The Water Quality Control Plan for the Central Coastal Region, section 4.8.5.2, states: "timing [of construction activities] should be established with reference to environmental sensitivity factors such as fish migrations, spawning or hatching, and minimum stream flow conditions."

Conditions related to stormwater management are required to comply with Water Quality Control Plans and to assure that the discharge complies with water quality objectives adopted or approved under Sections 13170 or 13245 of the California Water Code. Post-rain erosion and sedimentation problems can contribute to significant degradation of the waters of the state; therefore, it is necessary to take corrective action to eliminate such discharges in order to avoid or minimize such degradation. Design, implementation, and maintenance of control measures and best management practices (BMPs) described in the conditions will assure compliance with water quality objectives for sediment, turbidity, temperature, suspended material, and settleable material. The Water Quality Control Plan for the Central Coastal Region, section 3.3.2, prohibits alteration of the suspended sediment load and suspended sediment discharge rate of surface waters in such a manner as to cause nuisance or adversely affect beneficial uses.

Conditions related to erosion and sediment control design requirements are required to sustain fluvial geomorphic equilibrium. Improperly designed and installed BMPs result in excess sediment, which impairs surface waters, adversely affect beneficial uses, and results in violations of water quality objectives in the Water Quality Control Plans in California. Water Quality Control Plans impose design requirements to ensure excess stormwater sediment does not exceed water quality objectives in the plans. For example: "The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited. The placing or disposal of soil, silt, bark, slash, sawdust, or other organic and earthen materials from timber harvesting, construction, and other soil

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disturbance activities at locations above the anticipated high-water line of any stream in the basin where they may be washed into said waters by rainfall or runoff in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited” (Water Quality Control Plan for the Central Coastal Basin, section 4.8.5.1).

Many waters in California are high in mercury either naturally or due to historic mining activities. This mercury, when discharged to waters of the state can become bioavailable and impair beneficial uses including Subsistence Fishing (SUB) and Tribal Subsistence Fishing (T-SUB). Effective sediment control is required under the Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions (Cal. Code of Reg., section 3010.)

In addition, disturbed areas in delineated waters must be stabilized prior to a rainfall event to assure that the discharge from the proposed Project will comply with water quality objectives established for surface waters. For example, the Water Quality Control Plan for the Central Coastal Region, section 3.3.2, prohibits the suspended sediment load and suspended sediment discharge rate of surface waters not to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

Conditions related to stormwater management are required to comply with the Water Quality Control Plans and to assure that the discharge complies with water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code. Post-rain erosion and sedimentation problems can contribute to significant degradation of the waters of the state; therefore, it is necessary to take corrective action to eliminate such discharges in order to avoid or minimize such degradation. Implementation of control measures and BMPs described in the conditions will assure compliance with water quality objectives for sediment, turbidity, temperature, suspended material, and settleable material. For example, the Water Quality Control Plan for the Central Coastal Region, section 4.6.4.1, prohibits the discharge of solid wastes “to rivers, streams, creeks, or any natural drainageways or flood plains of the foregoing.”

Project Requirement No. 9

On-site availability of materials and supplies assures BMPs can be reasonably implemented and that the discharge complies with water quality objectives. This condition and other conditions related to BMPs are consistent with the Central Coast Water Board’s authority to establish, “[w]ater quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area” pursuant to Water Code section 13241(c). The activities authorized under this Certification have the potential to result in a discharge that exceed water quality objectives and work in waters of the state must not cause an exceedance of water quality objectives. As required by California Water Code section 13369, all Water Quality Control Plans incentivize the use of BMPs to prevent prohibited discharges into waters of the state.

Project Requirement No. 10

California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. This condition is necessary to prevent violation of state discharge prohibitions that protect water quality objectives. Water Quality Control Plans prohibit the discharge of construction materials and byproducts from being discharged into waters of the state. For example, section 4.6.4.1 of the Water Quality Control Plan for the Central Coast Region prohibits the discharge of solid wastes “to rivers, streams, creeks, or any natural drainageways or flood plains of the foregoing.”

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This condition prohibiting discharge of materials detrimental to water quality or hazardous to aquatic life is also consistent with the Dredge or Fill Procedures, Appendix A, Subpart H, which requires actions to minimize and avoid adverse effects, including actions concerning the location of discharged material and controlling the material after the discharge (section 230.70 et seq.).

Project Requirements Nos. 11 - 13

These conditions are required pursuant to the Water Quality Control Plan for the Central Coastal Basin and the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP), which prohibit the discharge of substances in concentrations toxic to human, plant, animal, or aquatic life. For example, the SIP states: “All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life.” In addition, “Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions, shall not be less than that for the same waterbody in areas unaffected by the waste discharge ...” (Water Quality Control Plan for the Central Coastal Basin, section 3.3.2.1). Conditions related to toxic and hazardous materials are necessary to assure that discharges comply with any water quality objectives adopted or approved under sections 13170 or 13245 of the California Water Code.

Project Requirement No. 14

Work in waters of the state must not cause exceedances of water quality objectives; accordingly, these conditions require implementation of best practicable treatments and controls to prevent pollution and nuisance and to maintain water quality. Consistent with the Dredge or Fill Procedures section IV.A.2.c, water quality monitoring plans are required for any in-water work, including temporary dewatering or diversions. Appropriate stream diversion and dewatering measures are BMPs needed to assure that 1) the discharge shall not adversely affect the beneficial uses of the receiving water or cause a condition of nuisance; 2) the discharge shall comply with all applicable water quality objectives; and 3) treatment and control of the discharge shall be implemented to assure that pollution and nuisance will not occur, and the highest water quality is maintained.

These conditions are also required pursuant to the state’s Anti-Degradation Policy (State Water Board Resolution No. 68-16), which requires that any “activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the state will be maintained.” All Water Quality Control Plans incorporate the state’s Anti-Degradation Policy by reference.

If surface waters or ponded waters are not appropriately diverted from areas undergoing grading, construction, excavation, and/or vegetation removal, the waters will be susceptible to erosion and increased sediment loads, contamination and pollution from construction equipment, temperature fluctuations, etc. Diverting waters away from these areas will ensure that the discharge will not exceed water quality objectives, adversely affect beneficial uses of the receiving waters, or cause a condition of nuisance. Dewatered areas must also be stabilized prior to a rainfall event to assure that the discharge from the proposed Project will comply with water quality objectives established for surface waters. For example, the Water Quality Control Plan for the Central Coastal Region, section 3.3.2, prohibits alteration of the suspended

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sediment load and suspended sediment discharge rate of surface waters in such as manner as to cause nuisance or adversely affect beneficial uses.

Project Requirement No. 15

Authorization under this Certification is granted based on the application information submitted. California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. Conditions related to post-construction stormwater management are required to comply with Water Quality Control Plans and to assure that the discharge complies with water quality objectives adopted or approved under Sections 13170 or 13245 of the California Water Code. Post-construction pollution, erosion, and sedimentation problems can contribute to significant degradation of the waters of the state; therefore, it is necessary to take corrective action to control the volume, velocity, frequency, and discharge duration of such discharges in order to avoid or minimize such degradation. Design, implementation, and maintenance of control measures and BMPs described in the conditions will assure compliance with water quality objectives including pollutants, toxic compounds, sediment, turbidity, suspended material, and settleable material that may result from modification of watershed processes. The Water Quality Control Plan for the Central Coastal Region, section 3.3.2, prohibits alteration of the suspended sediment load and suspended sediment discharge rate of surface waters in such as manner as to cause nuisance or adversely affect beneficial uses. Section 3.3.2 also requires that all waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in human, plant, animal, or aquatic life. As such, dischargers must inform the Central Coast Water Board of modifications so they may be addressed. California Water Code sections 13267 and 13383 authorize the Central Coast Water Board to require submittal of information.

Project Requirement No. 16

California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. This condition is necessary to prevent violation of state discharge prohibitions that protect water quality objectives. Water Quality Control Plans prohibit the discharge of construction materials and byproducts from being discharged into waters of the state. For example, “The discharge or threatened discharge of soil, silt, bark, slash, sawdust, or other organic and earthen materials into any stream in the basin in violation of best management practices for timber harvesting, construction, and other soil disturbance activities and in quantities deleterious to fish, wildlife, and other beneficial uses is prohibited.” (Water Quality Control Plan for the Central Coast Basin, section 4.8.5.1).

This condition prohibiting discharge of materials detrimental to water quality or hazardous to aquatic life is also consistent with the Dredge or Fill Procedures, Appendix A, Subpart H, which requires actions to minimize and avoid adverse effects, including actions concerning the location of discharged material and controlling the material after the discharge (section 230.70 et seq.).

Project Requirement No. 17

Authorization under this Certification is granted based on the submitted application information. California Water Code section 13264 prohibits any discharge that is not specifically authorized in this Certification. As such, dischargers must inform the Central Coast Water Board of modifications so they may be addressed. This condition is necessary to ensure the Project remains eligible for coverage under this Certification if Project modifications become necessary after Certification has occurred. California Water Code sections 13267 and 13383 authorize the Central Coast Water Board to require submittal of information.

Monitoring and Reporting Requirements

These monitoring and reporting requirements are also consistent with the Central Coast Water Board’s authority to investigate the quality of any waters of the state within its region under California Water Code sections 13267 and 13383. The reports confirm that the BMPs and other measures required under this order are sufficient to protect beneficial uses and water quality objectives. Conditions regarding monitoring and reporting of BMP implementation and mitigation are necessary to ensure compliance with state and federal anti-degradation policies and Executive Order W-59-93, commonly referred to as California’s “no net loss” policy for wetlands.

The condition for a streambed alteration agreement submittal is required pursuant to California Code of Regulations section 3856(e), which requires that copies be provided to the Water Boards of “any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents, if not finalized) that will be required for any construction, operation, maintenance, or other actions associated with the activity. If no final or draft document is available, a list of all remaining agency regulatory approvals being sought shall be included.”

APPENDIX C

404 Permit

DECISION DOCUMENT NATIONWIDE PERMIT 14

This document discusses the factors considered by the Corps of Engineers (Corps) during the issuance process for this Nationwide Permit (NWP). This document contains: (1) the public interest review required by Corps regulations at 33 CFR 320.4(a)(1) and (2); (2) a discussion of the environmental considerations necessary to comply with the National Environmental Policy Act; and (3) the impact analysis specified in Subparts C through F of the 404(b)(1) Guidelines (40 CFR Part 230). This evaluation of the NWP includes a discussion of compliance with applicable laws, consideration of public comments, an alternatives analysis, and a general assessment of individual and cumulative effects, including the general potential effects on each of the public interest factors specified at 33 CFR 320.4(a).

1.0 Text of the Nationwide Permit

Linear Transportation Projects. Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge of dredged or fill material cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge of dredged or fill material in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

Note 2: Some discharges of dredged or fill material for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b)(4) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

General Conditions: The following general conditions must be followed in order for any authorization by an NWP to be valid:

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 f for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not

been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid

construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or

maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWP, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. (a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) *Timing*. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the

requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is

large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination:* (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for

mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

Final 2021 Nationwide Permit (NWP) Regional Conditions for the State of California

1. The permittee shall submit a pre-construction notification (PCN) for all 2021 NWPs, in accordance with General Condition 32, in the following circumstances:
 - a. Activities involving new bank stabilization that do not incorporate bioengineering techniques. Bioengineering techniques include using live plants alone or in combination with dead or inorganic materials, including rock, sand, or gravel;
 - b. Activities resulting in a discharge of dredged or fill material in waters of the U.S. on Tribal Lands*;
 - c. Activities involving the permanent channelization, realignment, or relocation of streams; and,
 - d. Activities that have the potential to adversely affect Essential Fish Habitat (EFH), as designated by the Pacific Fishery Management Council. The PCN shall include an EFH assessment and analysis of effects of the action on EFH, in accordance with 50 C.F.R. § 600.920 (e). For Federal permittees, if a PCN is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with the Magnuson-Stevens Fishery Conservation and Management Act;
2. In the desert regions of Los Angeles District (*USGS Hydrologic Unit Code accounting units: Lower Colorado -150301, Northern Mojave-180902, Southern Mojave-181001, and Salton Sea-181002*), the use of any NWP resulting in greater than 0.10-acre loss** of wetlands, mudflats, vegetated shallows, or riffle and pool complexes, as defined at 40 CFR Part 230.40-45, is prohibited.
3. In the Los Angeles District, NWPs 29, 39, 42 and 43, and NWP 14 combined with any of those NWPs, cannot authorize a loss** of waters of the United States greater than 0.25 acre Within the Murrieta Creek and Temecula Creek watersheds in Riverside County.
4. In the Los Angeles District, all 2021 NWPs are revoked within the Special Area Management Plans areas of the San Diego Creek Watershed and San Juan Creek/Western San Mateo Creek Watersheds in Orange County, California. Additional information is available here: <https://www.spl.usace.army.mil/Missions/Regulatory/Established-LOP-Procedures/>
5. In the Los Angeles District, the permittee shall submit a pre-construction notification (PCN) for all 2021 NWPs, in accordance with General Condition 32, in the following circumstances:

- a. Activities that would result in a loss** of waters of the United States within the Murrieta and Temecula Creek watersheds in Riverside County, California; and,
- b. Activities that would result in a loss** of waters of the United States within Santa Clara River watershed in Los Angeles and Ventura County, California, including but not limited to Aliso Canyon, Agua Dulce Canyon, Sand Canyon, Bouquet Canyon, Mint Canyon, South Fork of the Santa Clara River, San Francisquito Canyon, Castaic Creek, Piru Creek, Sespe Creek and the main-stem of the Santa Clara River; and,
- c. Activities that would result in a loss** of waters of the United States within all watersheds in the Santa Monica Mountains in Los Angeles and Ventura County, California, bounded by Calleguas Creek on the west, by Highway 101 on the north and east, and by Sunset Boulevard and Pacific Ocean on the south; and,
- d. Activities that would result in a loss** of waters of the United States within all perennial waterbodies and special aquatic sites.

** "Tribal Lands" refers to any lands title to which is either: 1) held in trust by the United States for the benefit of any Indian tribe or individual; or 2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.*

*** "Loss" means waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity.*