

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES 1 20
2. AMENDMENT/MODIFICATION NUMBER A003	3. EFFECTIVE DATE 03/17/2022	4. REQUISITION/PURCHASE REQUISITION NUMBER HFLCEO220072PR	5. PROJECT NUMBER (If applicable) NV FLAP US50(1)	
6. ISSUED BY FEDERAL HIGHWAY ADMINISTRATION CENTRAL FEDERAL LANDS HIGHWAY DIVISION 12300 WEST DAKOTA AVENUE, SUITE 360 LAKEWOOD, COLORADO 80228 ATTENTION: CONTRACT SPECIALIST NAME	CODE 6905001	7. ADMINISTERED BY (If other than Item 6) CODE		
8. NAME AND ADDRESS OF CONTRACTOR (Number, street, county, State and ZIP Code)		(X)	9A. AMENDMENT OF SOLICITATION NUMBER 6982AF22B000005	
		(X)	9B. DATED (SEE ITEM 11) 02/17/2022	
			10A. MODIFICATION OF CONTRACT/ORDER NUMBER	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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

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

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.
IT MODIFIES THE CONTRACT/ORDER NUMBER AS DESCRIBED IN ITEM 14.**

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NUMBER IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not is required to sign this document and return *See Item 14 copies to the issuing office.

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

IFB

Remove and replace pages Table of Contents, A-1, E-8, E-38, and E-49 with the attached corresponding pages.
Add Appendix F NDOT Encroachment Permit.

***FAILURE TO ACKNOWLEDGE THIS AMENDMENT IN BLOCK 19 OF THE SF 1442 BY THE DESIGNATED DATE AND HOUR SPECIFIED IN THE SOLICITATION MAY RESULT IN REJECTION OF YOUR BID (REFER TO ITEM 11.)**

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

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR		16B. UNITED STATES OF AMERICA	
15C. DATE SIGNED		16C. DATE SIGNED	
<hr/> (Signature of person authorized to sign)		<hr/> (Signature of Contracting Officer)	

Previous edition unusable

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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
--

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SOLICITATION, OFFER AND AWARD <i>(Construction, Alteration or Repair)</i>	1. SOLICITATION NO. 6982AF22B000005	2. TYPE OF SOLICITATION <input checked="" type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 02/17/2022	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. HFLCEO220072PR	6. PROJECT NO. NV FLAP US50(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: Leslie Karsten, 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>				
<p>10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS:</p> <p>ROADWAY CONSTRUCTION PROJECT IN STRICT ACCORDANCE WITH:</p> <ol style="list-style-type: none"> 1. FEDERAL ACQUISITION AND TRANSPORTATION ACQUISITION REGULATIONS (<i>FAR & TAR</i>) 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 7. SUBCONTRACTING PLAN (IF APPLICABLE) <p>See Subsection 104.04 of the FP-14 for governing order of precedence</p>				
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	
<p>13. ADDITIONAL SOLICITATION REQUIREMENTS:</p> <p>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>3/22/22</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.</p> <p>B. An offer guarantee <input checked="" type="checkbox"/> is <input type="checkbox"/> is not required.</p> <p>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.</p> <p>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.</p>				

Comply with the terms and conditions of any permits that are issued for the performance of work, including Section 402 permits for Construction, Municipal Separate Storm Sewer Systems, Industrial, and Chemical applications in accordance with the National Pollutant Discharge Elimination System.

Tahoe Regional Planning Agency (TRPA) Permit

Comply with the requirements of the TRPA permit. A copy of the permit is located in Appendix D.

Nevada Department of Transportation (NDOT) Permit

Comply with the requirements of the NDOT encroachment permit. A copy of the permit ~~will be provided once obtained and prior to bid opening.~~ is located in Appendix F.

National Pollutant Discharge Elimination System (NPDES) for Nevada

Comply with the requirements of the Nevada General Storm Water Permit NVR100000 for erosion and sediment control due to storm water runoff. A copy of the permit is located at:

<https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/construction-sites-greater-than-1-acre>

This permit expired on 01/04/2020; however, the permit has been administratively continued while a permit renewal is being drafted. Amend the SWPPP and site plan when the new permit goes into effect to meet new permit conditions.

Allow 14 days from submittal of NOI to issuance of permit.

(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) Preparation of the Storm Water Pollution Prevention Plan (SWPPP). The Government has prepared a preliminary SWPPP. Update the preliminary SWPPP for the project or develop a new SWPPP and provide to the CO for review. When the SWPPP is accepted by the CO and signed by both the CO and the Contractor, it will be the document in force on the project. Implement the SWPPP as required throughout the construction period.

Modify the erosion control details and layout sheets included in the plans, as necessary, to accommodate project site conditions and proposed construction operations and include them in the SWPPP.

(c) Notice of Intent (NOI). File a NOI as a primary operator if required or permitted. Provide a copy of the NOI and confirmation letter to the CO. The Government will also file

602.02 Add the following:

Painting 563

Construction Requirements

602.03 General. Add the following:

Treat all exposed galvanized material for culverts and end sections with a weathering agent according to Section 563.

Section 609. — CURB AND GUTTER

609.03 General. Add the following:

Submit concrete color sample to CO for approval prior to placement of curb and gutter.

Concrete mix designs shall be NDOT mix designs previously approved in the last 12 months.

Section 614. — LEAN CONCRETE BACKFILL

614.04

Add the following:

Prior to excavation around water line, submit plan to support the water line, prevent damage, and other preventative measures to the CO for approval.

614.06

Add the following:

Notify the CO when the lean concrete backfill has been placed around the waterline prior to placement of embankment over the lean concrete backfill for inspection and acceptance by the General Improvement District.

Section 617. — GUARDRAIL

Description

617.01

(a) Add the following:

Tests on Residue from Pressure Aging Vessel, AASHTO R28 @ 100°C:		
Dynamic Shear, $G^* \sin \delta$, Test Temp 22°C @ 10 rad/s, kPa	AASHTO T 315	5000 Max.
Creep Stiffness, S, Test Temp -18°C @ 60 sec, MPa	AASHTO T 313 ⁽²⁾	300 Max.
Creep Stiffness, m-value, Test Temp -18°C @ 60 sec	AASHTO T 313 ⁽²⁾	0.300 Min.

Section 703. — AGGREGATE

Add the following:

All aggregate material used within the NDOT right of way shall conform to the NDOT Standard Specifications: Section 207 for granular backfill and Section 302 for aggregate base. Materials shall be from a NDOT source-accepted pit. Submittals for materials, certified by NDOT Headquarters Lab, dated within one year of construction, shall be submitted to the CO for approval prior to use.

703.01 Add the following:

703.01 Fine Aggregate for Concrete.

- (c) Sand equivalent value, AASHTO T 176, Alternate Method No. 2 75 min.

703.05 Subbase, Base, and Surface Course Aggregate.

(a) **General.** Delete the following:

- (3) Durability index (coarse), AASHTO T 210 35 min.
- (4) Durability index (fine), AASHTO T 210 35 min.

(b) **Subgrade or Base aggregate.** Delete line (2) and substitute the following:

- (2) Liquid limit, AASHTO R 58 and T 89 25 max

(c) **Surface Course Aggregate.** Add the following:

- (4) Dust ratio: $\frac{\% \text{ passing } \#200}{\% \text{ passing } \#40}$ 2/3 max.

Do not use material that breaks up when alternately frozen and thawed or wetted and dried.

Obtain the aggregate gradation by crushing, screening, and blending processes as necessary. Fine aggregate, material passing the No. 4 sieve, will consist of natural or crushed sand and fine mineral particles.

Delete Table 703-3 and substitute the following:

**Table 703-3
Target Value Ranges for
Surface Course Gradation and Plasticity Index**

Appendix F

NDOT Encroachment Permit

Fee:	\$Waived	Permit No.	214695
Milepost:	US 50 (DO 2.43 to 2.73)	District:	II
District No.:	214695-22		
Applicant:	FHWA		
Type of Work:	Relocation of Round Hill Pines Resort Access on US 50		
<hr/>			
Work Order No.:	20151241		
Reviewed By:	Jay Smith		

REVOCABLE PERMIT FOR OCCUPANCY OF
NEVADA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY
(Under the provisions of NRS 408.423, 408.210 and NAC 408)

1. Location where excavation, construction, installation and/or occupancy is proposed

US 50	Round Hill Pines Resort
Location name of highway	Street address or nearest cross street

2. Type, scope of work, and any additional information:

On US 50 from HES "P1" 16+34, 28' Lt. (DO 2.43/2.43) to HES "P1" 32+18, 89' Lt. (DO 2.73/2.73), reconstruct existing access to a NDOT Type 2A approach, remove existing AC curb and guardrail and widen westbound lane with new pavement, striping, concrete curb-gutter and guardrail. Install two 2'x3' NDOT modified Type 3A drop inlets with new 18-inch RCP outlet and 15-inch CMP outlet. Construct new modified approach access and gate with acceleration and deceleration lanes and new striping and signage.

3. **SPECIFIC TERMS AND CONDITIONS APPURTENANT TO THIS PERMIT ARE LISTED ON PAGE 2.**

4. Permit Contact Information:

Federal Highway Administration
Ryan Daniel Mathis

Name of PERMITTEE

12300 West Dakota Ave.

Address

Lakewood, CO 80228

City, State, Zip

(720) 963-3728	ryan.mathis@dot.gov
Phone No.	Email

PERMITTEE: Federal Highway AdministrationDISTRICT NO. 214695-22Permittee's I.D. No. or Parcel No.**SECTION I: ENCROACHMENT PROVISIONS****Encroachment Provisions: Description and Location**

1) On US 50 from HES "P1" 16+34, 28' Lt. (DO 2.43/2.43) to HES "P1" 32+18, 89' Lt. (DO 2.73/2.73), reconstruct existing access to a NDOT Type 2A approach, remove existing AC curb and guardrail and widen westbound lane with new pavement, striping, concrete curb-gutter and guardrail. Install two 2'x3' NDOT modified Type 3A drop inlets with new 18-inch RCP outlet and 15-inch CMP outlet. Construct new modified approach access and gate with acceleration and deceleration lanes and new striping and signage.

All work shall be in accordance with attached plans by Federal Highway Administration dated 02/03/2022 (Federal Highway Administration – NV FLAP US 50 Round Hill Pines Access). Any conflicts between the attached plans and NDOT Standards and Specifications shall be documented in writing and submitted to the District II Permit Office for acceptance prior to implementation. Written requests to deviate from NDOT Standards and Specifications must identify the standard, identify the proposed deviation, identify any proposed mitigation, suggest how proposed deviation and mitigation meets the intent of NDOT Standards and Specifications and suggest why the deviation is reasonable and safe. Deviation letters must be signed and stamped by an engineer registered in the State of Nevada.

Encroachment Provisions: Standards and Specifications

2) All work performed under this permit and under routine and emergency maintenance will be in accordance with the current editions of the State of Nevada, Terms and Conditions Relating to Right-of-Way Occupancy Permits (2018) <https://www.nevadadot.com/Home/ShowDocument?id=8440>, the State of Nevada, Standard Specifications for Road and Bridge Construction (2014) <https://www.nevadadot.com/home/showdocument?id=6916>, the State of Nevada, Standard Plans for Road and Bridge Construction (2020) <https://www.nevadadot.com/home/showpublisheddocument?id=17276>, Access Management System and Standards (2017) <https://www.nevadadot.com/home/showpublisheddocument?id=11581>, the National Electrical Safety Code, the American Association of State Highway and Transportation Officials (AASHTO) publications, "A Guide for Accommodating Utilities within Highway Right-of-Way" (2005) and "A Policy on the Accommodations and Installation of Utilities on State and Federal-Aid Highways, within the State of Nevada" and will be accomplished to the satisfaction of the District Engineer. All construction will be in conformance with the requirements, rules, and regulations of the State of Nevada Public Utilities Commission, the State of Nevada Industrial Insurance System and the State of Nevada Labor Commission. NDOT's Standard Plans and Specifications are available for purchase at the District II Permit Office.

Encroachment Provisions: General

3) All work authorized by this permit will be completed within one year from date of issuance thereof, or this permit will be revoked; except upon written request, the PERMITTEE may be given, at the discretion of NDOT, an extension.

PERMITTEE _____

DATE _____

PERMITTEE: Federal Highway AdministrationDISTRICT NO. 214695-22

- 4) NDOT right-of-way permits are issued with the understanding that any particular action will not be considered as establishing any precedent on the question of the expediency of permitting any kind of right-of-way occupancy to be erected within the right-of-way of state highways, or as to any utility or acceptability of any such permits as to any other or future situations.
- 5) In the event the NDOT right-of-way, encumbered by this permitted encroachment, is needed for future highway purposes, PERMITTEE agrees to modify, adjust, remove or relocate the facility authorized herein, at no cost to the State of Nevada.
- 6) All new facilities shall be placed a minimum of three feet (3') clear distance from new or existing NDOT facilities, except in areas where special protection methods have been planned, reviewed and approved by NDOT.
- 7) Advertising within the NDOT right-of-way is restricted per NRS 405.110. It is the PERMITTEE's responsibility to understand and comply with all applicable local, state and federal requirements regarding advertising within the right-of-way.
- 8) PERMITTEE agrees to indemnify, defend and save harmless the State of Nevada and its officers, agents, and employees against any and all liability, loss, damage, cost and expense which it or they may incur, suffer, or be required to pay by reason of death, disease, or bodily injury to any person or persons, or injury to, destruction of, or loss of use of any property, including property belonging to the State of Nevada, arising out of or incident to activities contemplated by this permit, and proximately caused, in whole or in part, by any act or omission of the PERMITTEE, or its contractors, agents, or the employees of any one or all of them, or by the officers, agents, or employees of the State of Nevada, unless it is established by the PERMITTEE that the proximate cause was the willful misconduct or gross negligence of the officers, agents, or employees of the State of Nevada. Costs and expenses will include but are not limited to, the amount of the judgment, court costs, litigation expenses, expert witness fees, and reasonable attorney fees.
- 9) Gate access will be authorized for current land use. Should the land use change or be modified this permit may be revoked and new Standard Encroachment Permit will be required. This permit will be authorized for five years from date of issuance, at which time this permits terms, conditions and access will be reassessed and evaluated.

Encroachment Provisions: Amendments, Transfers, and Time Extensions

- 10) An Amendment may add, take away or change the terms and conditions of this permit. When initiated by the PERMITTEE, a formal request shall be made to NDOT. Upon completion of the construction and NDOT's acceptance of the work, all construction shall be considered complete and no Amendments may be issued. Any future improvements shall require a new encroachment permit.
- 11) All formal requests shall be processed through the District II Permit Office. This includes, but not limited to:
- i. Amending the accepted Additional Terms and Conditions
 - ii. Time extension for permitted construction activities
 - iii. Construction hour of operations
 - iv. Allowance to work one working day before, during, and the working day after scheduled holiday or special event

PERMITTEE _____

DATE _____

PERMITTEE: Federal Highway AdministrationDISTRICT NO. 214695-22

12) PERMITTEE may not transfer, convey, or assign this permit, or any privilege or responsibility contained here in pertaining to actual work to be accomplished without written approval from NDOT.

13) A formal request letter, addressed to the District Engineer, shall be signed and submitted by the PERMITTEE to the District II Permit Office. During permitted construction, coordinate any formal requests through the District Inspector. NDOT will not be responsible for any administration delay as a result of the PERMITTEE or a representative of the PERMITTEE not submitting the formal request to the District II Permit Office for processing.

Encroachment: Additional Permits and Surveys

14) Prior to commencement of any work within the NDOT right-of-way, PERMITTEE must:

- i. Obtain any and all other permits required by Federal and State law or local ordinances.
- ii. Obtain and abide by any and all environmental permits applicable under, but not limited to, the “Clean Air Act” the “Clean Water Act” and “Endangered Species Act.”

SECTION II: CONSTRUCTION

Construction: General

15) A complete permit package, including but not limited to, Terms and Conditions, temporary traffic control plans, and engineering plans, shall be available at the work site at all times during construction. At all times, all contractors and subcontractors connected with this permitted activity shall have a complete copy of this permit package at the work site. The construction activity may be ordered to cease by NDOT if a copy of the complete permit package is not available on-site.

16) PERMITTEE shall submit “As-built” plans to the District II Permit Office showing the exact locations and depths, on both plan and profile, within thirty (30) days of completion of construction.

17) Trees that are deemed to interfere with the proposed project, shall be identified as to the species, size and location. No removal of any trees will be allowed without prior written approval given by NDOT. To obtain approval, submit formal written request to the District II Permit Office. The request letter shall be addressed to the District Engineer, signed by the PERMITTEE, and submitted at least five (5) working days prior to the day requested.

18) PERMITTEE shall not remove or replace storm drain pipe, beyond that work shown in Permittee’s permitted plans, during construction. If field constraints exist requiring the removal of the pipe, the storm drain pipe shall to be replaced with like pipe in material (class IV RCP, CMP, HDPE) and size. The pipe joints shall be per NDOT Standard Detail R-2.1.1. PERMITTEE shall not encase the storm drain, except at joints as per standard.

Construction: Hours of Operation

19) PERMITTEE’s contractor shall contact the District II Permit Office at (775) 834-8330, to have a pre-construction meeting on-site, with the District Inspector, prior to construction.

PERMITTEE _____

DATE _____

PERMITTEE: Federal Highway Administration

DISTRICT NO. 214695-22

20) PERMITTEE shall contact the District II Permit Inspector at (775) 834-8330, a minimum of five (5) working days prior to the anticipated beginning of construction and five (5) working days prior to any lane closure (NDOT accepted temporary traffic control plans).

21) **Maintain 2 lanes of traffic in each direction during non-working hours unless otherwise stated.** The hours of work shall be from 8:00 AM – 6:30 PM, daily, Monday through Friday unless otherwise stated or unless prior written approval has been given by NDOT. To obtain approval, submit a formal written request to the District II Permit Office. The request letter shall be addressed to the District Engineer, signed by the PERMITTEE, and submitted at least five (5) working days prior to the day you wish to work adjusted hours.

During single lane each direction traffic control operations utilizing portable precast concrete barrier rail to protect the work zone during roadway widening, the hours of work shall be from 8:00 AM to 6:30 PM, daily.

22) No work and no lane restrictions shall be allowed in the NDOT right-of-way the working day before a holiday through the working day after a holiday, unless otherwise stated or unless prior written approval has been given by NDOT. To obtain approval, submit a formal written request to the District II Permit Office. The request letter shall be addressed to the District Engineer, signed by the PERMITTEE and submitted at least five (5) working days prior to the day requested.

During single lane each direction traffic control operations utilizing portable precast concrete barrier rail to protect the work zone during roadway widening, work will be allowed the working day before, during, and the working day after a holiday.

23) No work shall be allowed the working day before, during, and the working day after scheduled special events, unless otherwise stated or unless prior written approval has been given by NDOT. It is the PERMITTEE’s responsibility to become aware of local or special events scheduled in the area of construction. To obtain approval, submit a formal written request to the District II Permit Office. The request letter shall be addressed to the District Engineer, signed by the PERMITTEE and submitted at least five (5) working days prior to the day requested.

During single lane each direction traffic control operations utilizing portable precast concrete barrier rail to protect the work zone during roadway widening, work will be allowed the working day before and the working day after a scheduled special event.

Construction: Standards and Practices

24) Contact “UNDERGROUND SERVICE ALERT” not less than two (2) working days, but not more than fourteen (14) days, before starting any excavation. Contact by telephone and comply with all instructions so received. The toll-free number is 1-800-227-2600.

25) PERMITTEE shall submit an email to D2DigAlert@dot.nv.gov for all NDOT locates. Supply the permit number, route with mile post, plan sheets, location sketch and work schedule. Email submittal must be done not less than five (5) working days before starting any excavation.

26) All existing facilities to be replaced or designated abandoned shall be completely removed from the NDOT right-of-way.

PERMITTEE _____

DATE _____

PERMITTEE: Federal Highway AdministrationDISTRICT NO. 214695-22

27) PERMITTEE shall supply a certified testing technician for compaction tests of aggregate base and asphaltic concrete, at the direction of the District Inspector.

28) Concrete mix designs for Standard Occupancy Permits will be previously approved NDOT mix designs (approved within the last 12 months), for each designated application.

29) Dense-grade asphaltic concrete mix designs for Standard Occupancy Permits shall be previously approved NDOT mix designs (approved within the last 12 months).

30) Open-grade asphaltic concrete mix designs for Standard Occupancy Permits shall be previously approved NDOT mix designs (approved within the last 12 months).

31) The open-grade hot asphaltic concrete shall be placed only when atmospheric temperature in the shade and the pavement surface temperature are above sixty degrees Fahrenheit (60° F). In the event that the ambient or surface temperature specifications cannot be achieved during the placement of the permanent patch, the dense grade shall be paved flush with the existing surface. The permanent patch shall be mechanically milled one inch (1") deep and open-graded at the earliest time when both the ambient and surface temperature specifications can be achieved. The open-grade shall be placed within 48 hours of the completion of the milling operation. The limits of the pavement milling and replacement shall be adjusted in the field by the District Inspector.

32) PERMITTEE's contractor shall construct longitudinal joints between the existing paved section and new paved approaches or roadway using a "keyed-in" method.

33) All permanent patches shall meet the specifications set forth in Sections 402.03.05 and 403.03.04 - Surface Tolerances, of the State of Nevada Department of Transportation Standard Specifications for Road and Bridge Construction, current edition.

34) The limits of the permanent patch shall be adjusted in the field by the District Inspector.

35) All conflicting pavement markings (striping and pavement legends) shall be completely removed. The method of removal shall be by milling one inch (1") of the existing pavement to the full roadway width. Open-grade from an approved NDOT mix design shall be placed at a depth of one inch (1") at the earliest time. The limits of the pavement milling and replacement shall be adjusted in the field by the District Inspector.

36) All backfill material shall conform to the NDOT Standard Specifications: Section 207 for granular backfill and Section 302 for aggregate base. Material shall be from a NDOT source-accepted pit. Submittals for materials, certified by the NDOT Headquarters lab, dated within one year of construction, are due prior to the beginning of construction.

37) Steel plate shall not be used on any paved surface maintained by NDOT. All temporary patches open to traffic shall be paved with hot plant mix asphaltic concrete. Cold mix asphalt shall not be used on roadways maintained by the NDOT.

38) PERMITTEE may allow traffic on a mechanically milled pavement surface, for a period not to exceed five (5) calendar days.

PERMITTEE _____

DATE _____

PERMITTEE: Federal Highway Administration

DISTRICT NO. 214695-22

39) PERMITTEE shall mechanically mill only the quantity of pavement that can be paved within the same shift.

40) All roadway widening in the NDOT right-of-way shall match the existing roadway structural section, both by the material types and depths.

41) PERMITTEE’s contractor shall submit material test results, performed or certified by the NDOT Materials Division, dated within one year of the submission, prior to the beginning of construction.

42) All work within the NDOT right-of-way shall be in compliance with the Americans with Disabilities Act.

43) PERMITTEE shall be responsible for maintaining the integrity of the roadway surface during construction. Dust, dirt, mud, gravel, etc. carried onto the roadway surface shall be removed on a regular basis (at least once a day or as requested by NDOT personnel). Failure to comply may result in NDOT having the roadway cleaned and the cost for the clean-up billed to the PERMITTEE.

44) PERMITTEE shall maintain an ongoing dust control program, including watering of open areas, conforming to the latest Federal, State, and County air pollution regulations. PERMITTEE shall submit a dust control plan for approval to the appropriate air pollution control division and the approved plan shall be available at the job site, prior to commencement of any work within the right-of-way.

45) PERMITTEE shall comply with State and Federal regulation, all areas disturbed and left undeveloped for longer than twenty (20) days shall be stabilized by the application of an approved dust palliative.

46) PERMITTEE shall ensure that contractors and subcontractors, that are moving equipment and materials from the project site into the right-of-way, where noxious weeds are present, shall wash and clean equipment prior to being moved.

47) PERMITTEE shall remove large rocks four inches (4”) or larger unearthed during construction from the surface of the right-of-way area. The rocks shall be disposed of by burying in approved locations or used as riprap in approved drainage locations.

48) PERMITTEE shall re-install signs, object markers, milepost panels, marker posts and guideposts disturbed during construction by the end of the working day.

49) PERMITTEE shall not store equipment, materials or spoils in right-of-way outside of normal working hours.

Construction: Traffic Operations and Safety

50) In the event of forecasted inclement weather conditions, PERMITTEE shall ensure that permit activities are ceased and that the right-of-way has been prepared and is safe for weather related maintenance activities and motorists.

51) PERMITTEE shall not use the NDOT right-of-way for construction truck staging or deliveries. All truck staging and deliveries shall be accomplished outside of the NDOT right-of-way.

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- 52) PERMITTEE shall maintain two-way traffic at all times during construction.
- 53) PERMITTEE shall set up traffic control to accommodate for the needs of pedestrians and bicyclists.
- 54) The work of setting up and tearing down traffic control devices as required shall be completed each day within the hours specified on the permit and/or on the approved traffic control plan. All traffic control devices shall be completely removed from the roadway and sidewalk at the end of the work period.
- 55) All traffic control shall conform to the Manual on Uniform Traffic Control Devices, "Chapter 6," and the State of Nevada, Standard Plans for Road and Bridge Construction, 2020 Edition.

Regardless of traffic control operations, do not stop public traffic for more than a 20-minute duration and do not delay it for more than 30 minutes total, regardless of the number of work zones. Any proposed traffic control plan must meet the duration of delay restrictions (20 minutes stopped, 30 minutes total delay). Should these delay restrictions be exceeded, work will be immediately suspended. If work is suspended, submit a written revised construction plan which addresses the delay problem. Upon approval of the plan the construction operations may resume.

56) All Category 1 & 2 Traffic Control Devices used on NDOT roadways shall be National Cooperative Highway Research Program (NCHRP) Report 350 compliant. PERMITTEE and/or contractor shall have manufacturer's certificates of compliance available at the project site.

57) All traffic control devices are subject to being rated by the District Inspector for serviceability condition to the current American Traffic Safety Services Association (ATSSA) publication "Quality Standards for Work Zone Traffic Control Devices" which is available from the American Safety Services Association, 15 Riverside Parkway, Fredericksburg, VA 22406, Phone: (540) 368-1701. Any device determined by the Inspector to not meet these quality standards shall be replaced with an acceptable device.

58) Any appurtenance installed that represents a hazard to the travelling public shall be protected in accordance with the AASHTO Roadside Design Guide, current edition, and approved by NDOT prior to installation.

59) All vertical drop-offs three inches (3") or greater, that are within the roadway clear zone, shall be protected by an NDOT approved method.

60) PERMITTEE shall submit a temporary traffic control plan for acceptance by District II Permit Office prior to the permit being issued and commencement of any work in the NDOT right-of-way. This traffic control plan shall be available at the job site at all times during construction.

61) Any temporary speed reductions in work zones must be approved by NDOT. Submit requests to the District Permit Inspector and allow up to 4 weeks for processing.

62) Any deviation from the accepted temporary traffic control plans shall require prior approval by District II Permit Office. PERMITTEE shall contact the District Inspector for direction.

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63) If an incident (accident/crash) occurs within the placed temporary traffic control, the PERMITTEE shall not modify or tamper with the existing traffic control devices. All traffic control devices shall remain for the incident investigation team. Temporary incident signage (pink color) may be placed to alert motorists of an incident event. The PERMITTEE shall receive verbal or written approval prior to modifying or removing temporary traffic control devices after the incident.

64) All pavement markings damaged by construction activities shall be replaced. Striping limits shall be adjusted in the field by the District Inspector.

65) All permanent pavement markings shall be either hot applied or preformed thermoplastic and shall conform to the NDOT Standard Specifications Section 634 for pavement marking film.

Construction: Utilities

66) All existing utilities to be replaced or designated to be abandoned, shall be completely removed from the NDOT right-of-way.

67) PERMITTEE shall include "UTILITY WORK AHEAD" signs as a part of their traffic control plan.

68) The minimum utility installation depth of cover shall be forty-two inches (42") in the NDOT right-of-way.

69) In the event of interruption to water or utility services as a result of accidental breakage, PERMITTEE shall notify the District Inspector immediately, and cooperate with the District Inspector in the restoration of service as promptly as possible.

70) Utility installations shown on the plans are located according to best information provided to NDOT, however, consider it normal and expected that elevations and alignment of said utilities may vary from that shown on the plans, and that utilities may be encountered that are not shown on the plans. The PERMITTEE'S contractor is solely responsible for ascertaining the actual location of all utility installations prior to beginning any excavation or other construction activity, which may affect any utility installation. Consider it normal and expected that utilities will prove to be an impediment to the operations and that use of other than usual equipment and construction methods in accomplishing the necessary work over, around, or under such utility installations may be necessary.

71) Locate and properly protect all utility installations. Repair all utility installations that are damaged by or due to operations or negligence.

Construction: Water Quality

72) PERMITTEE shall conform to Section "XI ENVIRONMENTAL" of the State of Nevada, Terms and Conditions Relating to Right-of-Way Occupancy Permits, 2018 Edition, in its entirety.

73) SWPPP implementation shall occur until all permitted work is complete and NDOT acceptance is granted.

Construction: Restoration

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74) PERMITTEE shall return all highway appurtenances, disturbed or destroyed, to a condition equal to or better than the original condition, and in accordance with NDOT Standard Plans and Specifications.

SECTION III: ENVIRONMENTAL

Environmental: Standards and Practices

75) If any species are listed by either the US Fish and Wildlife (USFWS) or by the State, the PERMITTEE must have a qualified biologist complete a field assessment and determine species presence or absence and contact the appropriate agencies to determine what mitigation methods are required if found. PERMITTEE must submit copies of any reports and documentation of any required agency consultations to NDOT.

76) The PERMITTEE must follow all BMPs to avoid impacts to all federal or state listed species.

77) BATS: If bats are identified roosting within the permitted area contact the Nevada Department of Wildlife (NDOW) for proper guidance. An avoidance area with one hundred-foot (100') radius must be maintained until formal guidance is received. For information on how to contact NDOW, go to:

http://www.ndow.org/Our_Agency/Contact_Us/

78) MIGRATORY BIRD TREATY ACT (MBTA): Vegetation/structure removal shall be conducted to conform with the MBTA to avoid impacts to listed migratory birds (50 CFR 10.13) that may be actively utilizing vegetation or structures for nesting. When possible, vegetation and structure removal should not occur during avian breeding season (generally March 1 through July 31), but raptors and owls may begin nesting as early as January. As these dates are a general guideline, active nests may be observed outside this range. If vegetation/structure removal must occur during avian breeding season, nesting surveys must be conducted by a qualified biologist. If nesting sites are found within the project limits, US Fish and Wildlife must be consulted to determine a suitable buffer area around the nest site. Buffer areas around the nest site should be flagged as an avoidance area and no disturbance should occur within the avoidance area while the nest is occupied with eggs and/or young. Once young have left the nest, the avoidance area can be removed, and work can resume. For more information on the Migratory Bird Treaty Act go to:

<http://www.fws.gov/migratorybirds/regulationspolicies/mbta/mbtintro.html>

79) LIVESTOCK OR WILDLIFE FENCING: If livestock (Nevada 4-wire Type C-NV-4B) or wildlife (96") fencing is to be breached by the PERMITTEE, maintain the functionality of the fence to prevent livestock or wildlife from entering the Department's right-of-way and becoming a safety hazard. All staging areas must be at least one hundred feet (100') away from the terminus of a livestock or wildlife fence as well as any escape features such as 1-way gates or escape ramps.

80) NOXIOUS WEEDS: The PERMITTEE shall complete the Noxious Weed Management Checklist/Plan (<https://www.nevadadot.com/doing-business/about-ndot/ndot-divisions/engineering/environmental-services/environmental-documents-and-projects>), describing how they will prevent the introduction and spread of noxious weeds. The PERMITTEE must keep a copy of the completed Noxious Weed Management Checklist/Plan on site while working within the Department's right-of-way. At Department's request, the PERMITTEE shall provide a copy of the Noxious Weed Management Checklist/Plan to NDOT Environmental Services for review and approval. For more information Nevada noxious weeds, go to:

<http://agri.nv.gov/NoxiousWeeds/>

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81) The permit area has been screened by NDOT for the potential to contain naturally occurring asbestos (NOA) and erionite. Based on NDOT screening there is potential these minerals may be present at the site. The PERMITTEE shall evaluate the soil and rock that may be disturbed for the potential of containing NOA or erionite. This can be done by looking at the geology and/or sampling and analyzing the earthen material. Once the potential for NOA and erionite are determined the PERMITTEE is responsible for determining the procedures necessary to reduce exposure to their employees and the general public to NOA or erionite fibers. At a minimum dust control measures should include no visual dust evident on, or leaving the project site. Based upon the length of the project and the concentration of the NOA and erionite detected in soil or rock the PERMITTEE may employ other procedures to protect workers and the general public. These could include, but not be limited to the following: control of access, cleaning of equipment before it leaves the site, use of personal protective equipment, monitoring of personnel for exposure, and monitoring ambient air. The PERMITTEE is responsible for the health and safety of their employees as it relates to NOA and erionite.

SECTION IV: MAINTENANCE

Maintenance: General

82) PERMITTEE shall be responsible for maintaining the integrity of the roadway surface. Dust, dirt, mud, gravel, etc. carried onto the roadway surface shall be removed on a regular basis (at least once a day or as requested by NDOT personnel). Failure to comply may result in NDOT having the roadway cleaned and the cost for the clean-up billed to the PERMITTEE.

83) PERMITTEE shall not disturb signs, object markers, milepost panels, marker posts and guideposts.

84) PERMITTEE shall not use the NDOT right-of-way for truck staging or deliveries. All truck staging and deliveries shall be accomplished outside of the NDOT right-of-way.

Maintenance: Utilities

85) Utility Maintenance is defined as actions performed on a regularly scheduled basis to preserve the intended working condition of the facility, or minor actions to correct a reoccurring problem.

- i) For underground maintenance, this consists of opening existing manholes to repair underground facilities and uncovering no more than fifty (50) feet of cables or lines buried in earth portions of highway right-of-way.

86) Utility Design Modification is defined as a change in the approved facility, or major actions to correct a reoccurring problem.

87) PERMITTEE shall submit a temporary occupancy permit application for any utility maintenance activities within the NDOT right-of-way. All other modification or maintenance work not identified in Utility Maintenance shall require a new encroachment permit.

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SECTION V: EMERGENCY WORK**Emergency Work: General**

88) Emergency is defined as a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services.

89) For emergencies, the PERMITTEE shall submit a NDOT Utility Emergency Work Notification Form to the NDOT District II Permit Office. The Emergency Notification Form may be hand delivered, faxed or sent electronic mail. Scheduled maintenance is not considered emergency work and may be denied. For more information, please contact the NDOT District II Permit Office at (775) 834-8330 during business hours.

90) During business hours, emergency work on permitted facilities must be authorized by the NDOT District II Permit Inspector, unless identified in an issued temporary occupancy permit. The Emergency Notification Form may be hand delivered, faxed or sent electronic mail.

91) During non-business hours, notify the NDOT District II Utilities 24/7 Hotline at (775) 834-8488. Provide the NDOT Road Operations Dispatch the following information:

- i. PERMITTEE's contact information for the emergency. NDOT Road Operations Dispatch may need to call back to follow up.
- ii. Location of the emergency.
- iii. Description of the emergency.
- iv. Description of the traffic impact (shoulder closure, lane closure, etc.).
- v. Give an estimated time duration to mitigate the incident.

92) During emergency work, the PERMITTEE should minimize the disturbance to traffic at all times.

93) For emergencies, on the first business day thereafter, the PERMITTEE shall contact the NDOT District II Permit Office to initiate a new permit (if needed). This may be a temporary occupancy permit or a standard encroachment permit. Failure to notify NDOT for an emergency work situation and obtain a permit within the stated time period is considered a violation and may result in this permit revocation.

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PERMITTEE hereby acknowledges that he or she has read the *Terms and Conditions Relating to Right-of-Way Occupancy Permits* booklet (2018 ed.) and the Additional Terms and Conditions of this permit. By signing this permit, he or she agrees to all terms and conditions appurtenant to this permit.

Dated _____

By _____

Permittee – Ryan Daniel Mathis, Project Manager, Federal Highway Administration

STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION

This Right-of-Way Occupancy Permit is granted to the PERMITTEE in accordance with the provisions of Chapter 408 N.R.S. and subject to the TERMS AND CONDITIONS stipulated to perform the work described.

Dated _____

By _____

Director or District Engineer