

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE OF PAGES 1   24	
2. AMENDMENT/MODIFICATION NO. <b>0003</b>		3. EFFECTIVE DATE <b>09-Nov-2017</b>		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO.(If applicable)	
6. ISSUED BY US ARMY CORPS OF ENGINEERS, NEW YORK 26 FEDERAL PLAZA, RM 1843 NEW YORK NY 10278-0090		CODE <b>W912DS</b>		7. ADMINISTERED BY (If other than item 6)  <b>See Item 6</b>		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. <b>W912DS17B0007</b>	
				X		9B. DATED (SEE ITEM 11) <b>03-Aug-2017</b>	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer 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 <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.</b> <b>IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  The purpose of this amendment is to: -- Make some changes to the Plans -- Make some changes to the Specifications -- Respond to bidders' questions (FOR INFORMATIONAL PURPOSES ONLY) -- Replace the wage rates with General Decision Number: NJ170058 09/29/2017 NJ58 (superseding NJ20160058)  NOTE: Bidders must acknowledge receipt of this amendment by the date specified in the solicitation (or as amended) by one of the following methods: In the space provided on the SF1442, by separate letter, or by signing Block 15 below. FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATIONS OF BIDS OR LATE WITHDRAWAL OF BIDS (FAR 14.304).  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)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				BY _____ (Signature of Contracting Officer)		09-Nov-2017	

## SECTION SF 30 BLOCK 14 CONTINUATION PAGE

## SUMMARY OF CHANGES

## SECTION SF 30 - BLOCK 14 CONTINUATION PAGE (SF 30)

The following have been added by full text:

AMENDMENT 0003

**Hurricane and Storm Damage Reduction Project, Port Monmouth, NJ  
Phase II-Contract 4  
IFB NO. W912DS-17-B-0007  
AMENDMENT #0003**

Bid Opening hour and date are unchanged from 31 January 2018 at 2:00PM EST.

1. The following changes are made to the plans: Revise and reissue Sheets E-100, ES-001, ES-100, ES-103, ES-104, ES-109, ES-109A, ES-109B, ES-110, ES-111, ES-111A, ES-112, ES-112A, ES-113, ES-114, ES-115, ES-116, S-107, S-108, S-303, S-304, S-501, S-502, S-503, S-506, S-509, S-510, S-511, S-512, S-513, S-514, S-515, S-516, S-517 S-520, S-521, M-103, M-104
2. The following changes are made to the specifications:  
Revise and reissue the sections below:
  - 00 90 01 Wage Rates
  - 05 50 16 Block and Tackle System
  - 31 00 00 Earthwork
  - 31 23 00.00 20 Excavation
  - 33 40 00 Storm Drainage Utilities
  - 35 22 26.00 18 Slide Gates (Sluice Gates) and Flap-Gates

3. The following are responses to questions received from bidders (FOR INFORMATIONAL PURPOSES ONLY):

(Questions that may be of general interest to all Offerors and/or the Government and that are not readily answered by the proceeding changes will appear below. These questions may have been paraphrased or altered to represent several questions regarding the same subject and/or simply revised to clarify and simplify the question(s). Questions and answers are issued to the Offerors "for information only" and do not revise the solicitation, plans or specifications.)

**Question No. 1:** Reference Specifications Section 31 00 00, paragraph 3.1 "STRIPPING OF TOPSOIL" and paragraph 3.14 "PLACING TOPSOIL". Please clarify following:

a. Is there enough topsoil on site to be reused for the proposed topsoil? If the existing topsoil is found unsuitable for re-use on site, how will the government compensate for its replacement from offsite areas? It's respectfully suggested that a pre-determined allowance should be allocated in the bid for additional/replacement topsoil requirements.

**Response:** The amount of reusable topsoil is unknown. The Contractor should expect to obtain this material from off-site. Topsoil will be paid under Bid Item 0005-Borrow Material.

b. Under which bid-item disposal of existing unsuitable topsoil will be paid?

**Response:** This would be paid under Bid Item 0004- Haul and Dispose of Excess or Unsatisfactory Material at Offsite Location.

**Question No. 2:** With regard to the Electrical Work that is shown on the ES-Drawings, please address and clarify the discrepancy between the JCP&L Outage requirements in Section 00 90 05 and the contradictory Outage Note that is on Dwg ES-114A. We believe that the JCP&L requirements are correctly stated in Section 00 90 05. If so, then please revise the Outage note on Dwg ES-114A to match the JCP&L Outage requirements.

**Response:** The note on Sheet ES-114A is correct. The full scope of the JCP&L work is given in Section 00 90 05. There is no discrepancy.

**Question No. 3:** Detail 1A on Dwg E-100 provides a detail for an Electrical Access Point at the top of the new concrete Floodwall that is to receive a 4" Electrical Conduit. This Electrical Access Point is also detailed on Structural Dwg S-507. With regard to these details, please address and clarify the following. The two referenced details conflict with the typical Flood Wall Details on Dwg S-301 & S-302. The typical structural details show a standard 2'-0" thick Flood Wall. However, both referenced details show the top of the Flood Wall to be thicker than the stem of the Flood Wall; and, Detail 5 on Dwg S-507 indicates that the top of the wall is to be 3'-0" thick. Please clarify these apparent discrepancies.

**Response:** The top of the wall gets wider at the pullout box. See detail 5/S-507.

**Question No. 4:** Please note that the Electrical Site Plan Dwg ES-109 for the Broadway Road Closure Gate and Dwg ES-114 for the Campbell Avenue Closure Gate do not show the Closure Gates, which makes these drawings confusing to interpret by prospective Electrical Contractors. This information needs to be shown on these two drawings in the same manner that the other new contract work is shown on these two drawings. Please revise and re-issue these two drawings as soon as possible to show the two closure gates.

**Response:** Plan sheets ES-109 and ES-114 included in this amendment have been revised to show the road closure gate locations.

**Question No. 5:** When we compare Dwg ES-114 to Dwg C-103 it appears that one of these two drawings is not correctly showing the location of the two Road Closure Winches for the Campbell Avenue Closure Gate. Dwg C-103 shows the location of the Closure Gate on the East side of the Twin 12" RCP pipes, but Dwg ES-114 shows the location of the Closure Gate Winches on the West side of the Twin 12" RCP pipes. Please address this discrepancy and issue a revised drawing to correct the problem as soon as possible.

**Response:** Plan sheet ES-114 included in this amendment has been revised to be consistent with Sheet C-103.

**Question No. 6:** On the ES Series of drawings, please clarify why some portions of the JCP&L Upgraded Pole Line is identified with a Hatched Symbol and other portions of the JCP&L Upgraded Pole Line are not identified with a Hatched Symbol. Since the drawings do not provide a Symbols Legend, please clarify how the bidders are to interpret the meaning of the Hatched Symbol that identifies some portions of the JCP&L Upgraded Pole Line.

**Response:** Hatched symbol refers to JCP&L Overhead line to be upgraded. See revised sheets ES-100, ES-109A and ES-109B included in this amendment.

**Question No. 7:** We request that the Pay item CLIN #0020 for the Wetland Mitigation Bank Credits be changed to a Fixed Bid Item Allowance so that the Contractor is not put in a position of being forced to buy these Credits at a fixed price when the Credits may not be available when it comes time for the Credits to be purchased. There are only two providers of the Wetland Bank Credits, and neither supplier guarantees that the Credits will be available to purchase when the Contractor may need to make the purchase. Therefore, it would be more reasonable and equitable to treat this Pay Item as a Fixed Bid Item Allowance in order to avoid placing undue the risk on the Contractor to make a purchase for something over which the Contractor has no control. Please review and clarify this issue.

**Respond:** Wetland Bank Credits will remain as a unit priced bid item. Contractor's bid should reflect his risk.

**Question No. 8:** Please confirm if the project is exempted from state taxes on all permanent materials as is typical on public projects.

**Response:** A contractor or vendor who provides materials that become a permanent part of the work under this contract may be exempt from state taxes. State forms, such as New York State form ST-120.1 or New Jersey State form ST-13, must be provided by the individual contractor/vendor when purchasing these materials. These forms and more specific instructions may be obtained on various State websites (e.g., New York State website at [www.tax.state.ny.us/](http://www.tax.state.ny.us/) or New Jersey State website at [www.state.nj.us/treasury/taxation/](http://www.state.nj.us/treasury/taxation/)).

**Question No. 9:** What is the grade of A709 zone 2 for FCM?

**Response:** See Structural General Notes Plan Sheet S-001.

**Question No. 10:** What is end plate thickness in closure gates?

**Response:** End plates are ½” thick. See Plan Sheets S-501 and S-502.

**Question No. 11:** What is vertical distance between the studs welded to vertical seal plates? What is the size and length of studs?

**Response:** See Detail 5/S-503 & 6/S-503.

**Question No. 12:** What is threaded leveling rods material in drawing # S-506?

**Response:** See revised Sheet S-506 included in this amendment which indicates ½” Threaded Rod ASTM 307.

**Question No. 13:** Please confirm all work related to natural gas is to be paid for under Item No. 0018.

**Response:** All work to be performed by New Jersey Natural Gas is to be paid under Bid Item 0018-Natural Gas Utility. Supply and installation of steel sleeves for the gas mains are to be paid under Bid Items 0007-Broadway Closure Gate and 0008-Campbell Ave Road Closure Gate.

**Question No. 14:** This project is being constructed in an area that is subject to frequent lunar flooding that was evident about a week ago when the approach to the Broadway Bridge was impassable due to a high-water condition during a moon tide. With regard to the flooding risks during the construction of Contract 4, please address and clarify the following:

a. The Hydrographic Records provided on Dwg G-101 provides a misleading impression of the high-water levels for the Contract 4 work limits because the tidal measurements provided on the Hydrographs are taken at Sandy Hook, which are lower than the high-water levels that are experienced within the Contract 4 work limits. Therefore, the Hydrographic Records do not represent the high-water levels that will be experienced by the Contractor when working within the Contract 4 work limits. Since the Hydrographic Records on Dwg G-101 cannot be used by bidders to evaluate the Contract 4 flooding risks, please provide site-specific high-water records for the bidders to review.

**Response:** The hydrographic records on Plan Sheet G-101 provide the nearest long-term gage that is acceptable for Contract 4.

b. Our interpretation of Article 23 – Damage to Work, in Section 00 73 00 - Special Contract Requirements, is that the Government may provide compensation, or an equitable adjustment, to the Contractor only for repairs to portions of the permanent work damaged by extreme weather events and only when the Contractor takes “reasonable precautions”. However, this clause leaves the Contractor vulnerable to frequent flooding risks because this clause is very limited

in scope. For example, this clause does not provide compensation to the Contractor for the repairs to the permanent work caused by lunar flooding. This clause does not define what reasonable precautions entitle the Contractor to compensation, and this clause does not provide any compensation to the Contractor for any costs, losses, and repairs to plant and equipment, temporary access roads, temporary facilities, stored materials, etc. that are damaged by any type of flooding event. Since this clause does not recognize the special flood-prone nature of this site, and since this clause does not treat the Contractor in an equitable fashion, we request modifications to this clause that will ensure that the Contractor will receive equitable compensation for all flooding risks and damages regardless of the cause to both permanent work and to the Contractor's equipment, stored materials, and to temporary works. Please clarify.

**Response:** The Contractor shall ensure they have adequate builder's risk insurance to cover damage or loss to their own equipment and material due to any flooding event. This clause is only intended to protect the contractor from damage to, and therefore necessary re-work, replacement, and/or repair of, completed permanent work

**Question No. 15:** Paragraph 3.2 of Section 31 00 00 requires the Contractor to perform Two Soil Borings to a depth of 65 feet below ground surface to verify the geotechnical recommendations. With regard to these Soil Borings, please clarify the following:

a. In order for bidders to better understand the purpose and need for these Two Soil Borings, please provide the specific geotechnical recommendations that the soil borings are intended to verify.

**Response:** Perform work as directed in the plans and specifications.

b. Paragraph 3.2 requires the Soil Borings to be completed prior to performing any fill or excavation work. However, the Soil Borings are not located in the areas where the new Levees are to be constructed. Both Soil Borings are located where pile-supported flood walls are to be construed. Consequently, we find this sequencing requirement to be confusing and we wish to know what impact the Soil Borings could possibly have on the filling or excavation operations.

**Response:** Perform work as directed in the plans and specifications.

c. Please clarify why only Two Soil Borings are required, how the locations for the Two Soil Borings were selected, and how the depth of 65 feet was determined.

**Response:** Perform work as directed in the plans and specifications.

d. Based on the information provided in Paragraph 3.2 please confirm that the Two Soil Borings do not need to be performed prior to performing any of the Test Pile or Production Piling Work.

**Response:** This work shall be performed before the test pile or production piling work. That is the intent of the statement at the beginning of Section 31 00 00 paragraph 3.2 stating that the borings shall be done "as soon as practical after notice to proceed."

**Question No. 16:** Use of FRP composite sheet pile for the seepage cutoff wall under the concrete casement in lieu of steel would eliminate the need for coal-tar epoxy coating

assumed for rust prevention, as illustrated in the May 2016 Raritan Bay and Sandy Hook Bay, Highlands, New Jersey Coastal Storm Risk Management Feasibility Study commissioned by USACE. Please confirm if there is capacity within the design of the cutoff wall for FRP Composite sheet piling to be accepted as an alternative proposal on initial bid submission?

**Response:** Perform work as directed in the plans and specifications.

**Question No. 17:** Paragraph 2.2 – Requirements for Offsite Soils, in Section 31 00 00 discusses the need to perform chemical testing of Borrow Sources. With regard to these requirements please clarify the following.

a. The abbreviation of “HW” is used in this paragraph but the abbreviation is not defined. Please provide a definition of “HW” so that the bidders clearly understand what it means and what needs to be tested.

**Response:** The abbreviation HW has been deleted. See revised Section 31 00 00, Paragraph 2.2 - Requirements for Offsite Soils included in this amendment.

b. The paragraph provides an ambiguous and confusing performance standard to meet when the second sentence states that the backfill cannot contain concentrations above State or EPA Criteria, and the backfill shall pass tests for HW characteristics. Please provide the specific criteria that must be met for the Borrow Sources to be acceptable. For example, does the Borrow Source need to be a “virgin source” and comply with NJDEP Residential Direct Contact Clean Soil Standards?

**Response:** See revised Section 31 00 00, Paragraph 2.2 - Requirements for Offsite Soils included in this amendment.

c. This paragraph does not specify the frequency of the chemical testing. For example: is the Contractor required to run just one round of tests for Source Approval, or will there be daily testing, or will volumetric testing be required, say every 2,000 CY of in-place Borrow Material? Please clarify the frequency of the chemical testing for Borrow Material.

**Response:** See revised Section 31 00 00, Paragraph 2.2 - Requirements for Offsite Soils included in this amendment.

**Question No. 18:** Sections 31 00 00 and 31 23 00 include Shoring and Sheet Piling Plan requirements, but the drawings do not provide any indication that Shoring and Sheet Piling is required. Please clarify whether or not there are any known or expected locations within the limits of the work where Temporary or Permanent Shoring may be required.

**Response:** It is up to the Contractor to decide how to accomplish any temporary excavations required for this project. If shoring and sheeting is chosen by the Contractor, then these specification paragraphs will control.

**Question No. 19:** Paragraph 3.1.2.1 – Drainage, in Section 31 23 00, requires the Contractor to perform a number of vague tasks that will be impossible or impractical to execute due to the site-specific nature of the Contract 4 site conditions. For example:

a. Please clarify how the Contractor is expected to “completely drain” the Contract 4 construction site to keep soil conditions “sufficiently dry”, when the site is frequently flooded by lunar tides and the Soil Borings describe the underlying soils throughout the site as wet and soft.

**Response:** The Contractor is expected to be sufficiently skilled in construction to know how to modify a site so that water properly drains.

b. Please clarify how the Contractor is expected to maintain dry soils within the working limits of Contract 4 by providing temporary storm drainage features such as ponds, basins, swales, and ditches when the Contract 4 working limits are so narrow that there is insufficient room for the contractor’s equipment, materials and the finished work; and, when the site is located in a low-lying, flood prone area that is frequently flooded by lunar tides.

**Response:** The Contractor is expected to be sufficiently skilled in construction to know how to modify a site so that water properly drains.

c. Considering that the Soil Boring logs consistently reveal the underlying soils throughout the Contract 4 site to be wet and soft, and therefore not suitable for the support of support of construction vehicles and equipment, we find the third sentence of the Paragraph 3.1.2.1 to be inappropriate to the Contract 4 site conditions because it requires the removal and replacement of all unsuitable soils. Please delete this sentence and provide a revised site-specific specification that addresses the special nature of the Contract 4 site conditions and provides a more practical solution to the problem.

**Response:** Specifications will not be changed.

d. The last sentence of Paragraph 3.1.2.1 requires the Contractor to perform the impossible task of continually draining the Contract 4 site, as well as the area immediately surrounding the site, and the area affecting operations at the site. Considering the special nature of the Contract 4 site, which is located in a low-lying, flood-prone, wet area that is subjected to frequent lunar flooding, we request that this sentence be deleted.

**Response:** Specifications will not be changed.



**Question No. 20:** The Dewatering requirements in Paragraph 3.1.2.2 of Section 31 23 00 are not appropriate or necessary for the pile-supported Flood Wall to be constructed in Contract 4. For the pile-supported Flood Wall there is no need to maintain the specified three feet of clearance from French Drains, sumps, ditches or drainage trenches, and there is no need to maintain groundwater levels that are three feet below the “working level”. For the pile-supported Flood Wall the Contractor only needs to provide a relatively dry, stable subgrade for the placement of the formwork, steel reinforcement and concrete. Therefore, please revise Paragraph 3.1.2.2 to provide specifications that address the site-specific needs for Contract 4.

**Response:** Perform work as directed in the plans and specifications

**question No. 21:** Paragraph 3.2.2 – Stripping, in Section 31 23 00 provides vague requirements for the Contractor to “strip suitable soil from the site where excavation or grading is indicated”. With regard to this requirement please clarify the following:

- a. Please clarify the purpose of performing this operation and the depth of the stripping operation.

**Response:** Paragraph 3.2.2 in Section 31 23 00 has been deleted. See paragraph 3.1 of Section 31 00 00 included in this amendment for stripping requirements.

- b. Please define the type of suitable soil that is to be stripped. For example, is the stripping operation intended for the removal and salvage of the existing suitable topsoil layer?

**Response:** Paragraph 3.2.2 in Section 31 23 00 has been deleted. See paragraph 3.1 of Section 31 00 00 included in this amendment for stripping requirements.

**Question No. 22:** The excavation requirements in Paragraph 3.3.5 – Final Grade of Surfaces to Support Concrete, in Section 31 23 00, are not consistent with the approach that is correctly shown on the typical Flood Wall Details. The typical Flood Wall details on the structural drawings correctly indicate that a layer of crushed stone (6” thick minimum) will be provided under the pile-supported Flood Wall to facilitate the construction of the pile-supported Flood Wall. In order for the crushed stone layer to provide any value to the Contractor, the crushed stone layer needs to be installed immediately upon excavating to the design subgrade of the pile-supported footing. Therefore, the requirements set forth in Paragraph 3.3.5 are not appropriate or applicable to the Contract 4 work. Therefore, Paragraph 3.3.5 needs to be revised or deleted to be consistent with typical Flood Wall details.

**Response:** There is no conflict with paragraph 3.3.5 and the typical Flood Wall details.

**Question No. 23:** The plan sheet calls for a Lithonia D series size 3, 148W floodlight with 8 chip on board LED’s. We need to know how many lumens this produces to be able to quote an alternate. When I go to the Lithonia website and pull the spec sheet for the

specified fixture it shows only a 129w or a 183W with only 6 chip on board LED's (see link below). There is no 148W chip on board option. Please advise.

**Response:** The LED fixture requirements have been revised. See revised Sheet E-100 included in this amendment.

**Question No. 24:** Please refer to sections 5 and 6 on drawing S-503, how are the seal deflector bars attached to the skin plate? There no welds shown and there are no notes about bolting. Either we are welding the stainless-steel deflection bar to the skin plate or we are drilling and tapping the skin plate, so the counter sunk bolts will secure the clamp bar, J-bulb seal and the deflection bars all together to the skin plate. Please clarify.

**Response:** Weld the stainless steel deflector bar to the skin plate. See revised detail 5 and 6 on Sheet S-503 included in this amendment.

**Question No. 25:** Please refer to section 5 and 6 on drawing S-503: What is the size and spacing of the shear studs along the length of embed plates?

**Response:** See revised details 5 and 6 on Plan Sheet S-503 included in this amendment.

**Question No. 26:** The skin plate for the gates is shown in section 7, drawing S-503 as ending around the centerline of the wide flange chords. The elevation of the gate on drawing S-501 and S-502 appears to show the skin plate from top of gate to bottom, not stopping at the centerlines of the wide flange chords. The end seal detail 8 on drawing S-503 shows the skin plate passing the bottom chord to carry the j-bulb seal. Is the skin plate per the elevation or per the section? Being at the centerlines for the length of the gates, but extending down at the bulb seals? How high up the gate do the seals go? to the top or stop at the centerline of the top chord?

**Response:** The rubber seal goes to the top of the gate. The skin plate goes to the top and bottom of the gate at the ends of the gate.

**Question No. 27:** Due to the lack of subsurface information made available to the bidders and the unusual bidding format for the Steel H-Piles that includes Primary Test Piles, Secondary Test Piles, and four Add-on Options for Additional Depth Piles, please provide the bidders with the USACE Design Documentation Report with all Appendices for the Hurricane and Storm Damage Reduction Project, Phase II – Contract 4. This important information should be included with the bidding documents in order to provide the bidders with a better understanding of the underlying Geotechnical Design and Structural Design that determined the pile lengths for this project.

**Response:** See revised Section 00 90 03 included in Amendment 0002 for additional Geotechnical Data.

**Question No. 28:** With regard to the Select Gravel Fill requirements in Paragraph 2.1.5 of Section 31 00 00, that is to be placed adjacent to the Flood Wall, please clarify the following:

a. What is the purpose and need for the Select Gravel Fill material?

**Response:** Perform work as directed in the plans and specifications.

b. Please confirm that the Select Gravel Fill is to be obtained from an off-site Borrow Source by the Contractor.

**Response:** All material not obtained by on-site excavations will need to be obtained from an off-site borrow source. The Contractor should expect to obtain this material from off-site.

c. This paragraph implies that the Contractor is to hire a Professional Engineer to determine the type of Select Gravel Fill to be used. Please clarify why this unusual requirement is needed, and provide the specific design criteria that are to be used to make this determination.

**Response:** The paragraph explicitly states that the gravel fill is to be determined by a Professional Engineer hired by the contractor. This is to make sure that the select gravel fill is filter compatible with the select granular fill.

d. Please provide the referenced document Appendix D of EM 1110-2-1913 to all bidders.

**Response:** The document can be downloaded at [http://www.publications.usace.army.mil/Portals/76/Publications/EngineerManuals/EM\\_1110-2-1913.pdf](http://www.publications.usace.army.mil/Portals/76/Publications/EngineerManuals/EM_1110-2-1913.pdf). It can also be found by using any major search engine.

e. Why would the gradation of the Select Gravel Fill need to change throughout the jobsite?

**Response:** The gradation of the Select Gravel Fill would need to change if the on-site soils change; the select granular fill would need to be adjusted as well.

**Question No. 29:** With regard to the Toe Drain for the Levee, please clarify the following:

a. Please confirm that the Granular Fill for the Toe Drain, as specified in Section 31 00 00, is to be imported from an off-site Borrow Source by the Contractor.

**Response:** All material not obtained by on-site excavations will need to be obtained from an off-site borrow source. The Contractor should expect to obtain this material from off-site.

b. Please clarify the requirements stated in Paragraph 2.1.7 of Section 31 00 00, which implies that the Contractor is to hire a Professional Engineer to determine the type of Granular Fill that is to be used. Please clarify why this unusual requirement is needed, and provide the specific design criteria that are to be used to make this determination.

**Response:** The paragraph explicitly states that the granular fill is to be determined by a Professional Engineer hired by the contractor. This is to make sure that the select gravel fill is filter compatible with the select granular fill.

c. Paragraph 2.1.7 also states that the Granular Fill “must meet filter criteria for the native soil, embankment fill, and the select gravel fill, as applicable”. With regard to this statement, please define and provide the desired “filter criteria”; and, please clarify why a Geotextile fabric is not specified to fulfill this function.

**Response:** The filter criteria is defined in Appendix D of EM 1110-2-1913. The Government desires a soil filter and not a geotextile fabric.

d. Paragraph 2.1.7 also states that the gradation of the Granular Fill “may change throughout the jobsite, as needed”. Why would this be necessary?

**Response:** The granular fill will change as needed to maintain filter compatibility with the on-site soil.

e. Please clarify the intentions of Paragraph 3.2.1 of Section 31 00 00. This paragraph describes the need to perform “additional sampling during excavation of the toe trench to determine the needed gradation of select granular material and select gravel fill”. Please explain the purpose and need for the specified sampling during the excavation of the Toe Drain, and explain why any sampling is needed to determine the gradation of the Toe Drain material.

**Response:** The purpose and need is determine the gradation of the toe drain material to account for any variation in the on-site materials.

f. While Paragraph 3.2.1 specifies the rate of sampling, Paragraph 3.2.1 does not specify the type of tests that are to be performed, and Paragraph 3.2.1. does not explain how the samples are to be taken. For example, is the Contractor to sample the soil after excavation from the Toe Drain, or is the Contractor to sample the sidewalls of the excavated trench? Please specify the types of soil testing to be performed, and how the sampling is to be done.

**Response:** The type of required sampling will be determined by the Contractor’s Engineer to meet the required criteria.

**Question No. 30:** With regard to the descriptions of work included in the CLIN’s for the Static and Tension Load Tests for Primary and Secondary Tests Piles, please clarify whether or not the Test Piles need to be pulled, or if the Test Piles can be cut-off below grade and left-in place.

**Response:** Test piles need to be pulled.

**Question No. 31:** Please clarify the following issues with regard to the Pile Notes on Dwg S-001.

a. Note "C" includes a Pile Type Chart that includes Pile Type 1 and Pile Type 2. Pile Type 1 is to be 60 LF for bidding purposes, and Pile Type 2 is to be 75 LF for bidding purposes. However, the Typical Cross Sections also indicate the need for 54 LF Piles and 70 LF Piles, and these two Pile Lengths are not reflected on this Pile Type Chart. Please clarify this discrepancy.

**Response:** See revised typical floodwall sections on Sheets S-301 included in prior amendment and S-520 included in this amendment.

b. There does not seem to be any obvious correlation between the Anticipated Working Loads (AWL) shown on the Pile Chart and the seven Compressive Test Loads that are called-out on Dwg's S-101, S-102 & S-103. Please clarify why most of the Compressive Test loads do not match the AWL's on the Pile Chart.

**Response:** AWL has been removed; see revised Sheet S-001 in Amendment 0002.

c. Considering the discrepancies noted above, what information takes precedence: the information shown on the Pile Load Chart or the information shown on the Structural Drawings/Typical Sections.

**Response:** AWL has been removed, see revised Sheet S-001 in Amendment 0002.

**Question No. 32:** The description of work for the Steel H-Pile Pay Items indicate that the Contractor is to provide equipment that is capable of driving piles that are up to 100 feet long. Since it is customary practice for the Contractor to determine the means and methods, please clarify why the Government taking this unusual approach to specify the means and methods for installing the H-Piles for this contract to depths that are much greater than what is shown on the Typical Flood Wall Sections.

**Response:** Provide bid based on the information provided. Perform work as directed in the plans and specifications.

**Question No. 33:** With regard to the 300 each, H-Pile Splices that are included in the Option #3 Pay item, please clarify the following:

a. How was the large quantity of H-Pile Splices determined?

**Response:** Provide bid based on the quantity provided. Perform work as directed in the plans and specifications.

b. Why does the Government believe that any Splices may be required when most of the H-Pile lengths shown on the Typical Flood Wall Details are 60 feet to 70 feet long and those H-Pile lengths do not need splicing?

**Response:** Provide bid based on the quantity provided. Perform work as directed in the plans and specifications.

**Question No. 34:** Please clarify the purpose and intent of using a 300% Safety Factor when performing the Static Load Tests, when it is customary practice to use a 200% Factor of Safety.

**Response:** Provide bid based on the Factor of Safety provided. Perform work as directed in the plans and specifications.

**Question No. 35:** With regard to the construction of the two Flood Gates across Campbell Avenue and Broadway, please clarify the following. When the Contractor is constructing the Flood Gates across Campbell Avenue and Broadway the traffic will need to be diverted around each of the Flood Gate work sites. Since the bidders do not have any information on what roads can be used for local detours, please provide a suggested detour route, along with signage, that can be used for diverting the traffic around each of the Flood Gate work sites for bidding purposes.

**Response:** The Contractor shall coordinate detour routes with the local municipality.

**Question No. 36:** Currently, the drawings show only two Staging Area locations that are identified as Staging Areas 4A & 4B. With regard to the Staging Areas, please clarify the following:

a. Is the Contractor at liberty to expand the two Staging Areas to meet the needs of the Contractor's operations?

**Response:** No.

b. Is the Contractor at liberty to select other areas of the project to be used as Staging Areas and Soil Stockpiling Areas?

**Response:** Refer to Section 00 73 00, paragraph 22 for Authorized Construction Area.

**Question No. 37:** Item #13 of The Sequence of Construction Notes on Dwg G-102 provides the estimated project duration of 549 Calendar Days, which is not the same duration of 730 Calendar Days that is provided in Section 00 73 00 – Special Contract Requirements section of the contract. Please confirm that the 730 Calendar Days is the correct duration for the project.

**Response:** Contract duration is 730 calendar days. See revised Sheet G-102 included in Amendment 0001.

**This amendment shall be attached to the specifications and plans and shall be a part thereof.**

The following have been added by full text:

WAGE DETERMINATIONS

Subject: Updated Wage Rate for NJ58 Port Monmouth NJ Phase 2, Contract 4 Hurricane and Storm Damage Reduction

Davis-Bacon Act wage decisions NJ58, modification dated 09/29/2017 affecting 17B0007 Port Monmouth NJ Phase 2, Contract 4 Hurricane and Storm Damage Reduction follows below and supersedes only previously furnished subject decision for this (ese) project(s). If bids for a project were opened prior to this modification date, the wage rate change does not apply.

Please remember that in negotiated procurements, the wage rates in effect on the date of contract award (not at proposal due date or FPR date) are the ones to be incorporated in the contract.

Also note the "10-day rule": For contracts entered into pursuant to competitive bidding procedures, 29 CFR 1.6(c)(3)(i) requires contracting agencies to accept modifications to wage determinations, notice of which is published in the Federal Register less than 10 days before bid opening, unless the agency finds that there is not sufficient time to notify bidders of the change. A report of the finding must be included in the contract file and submitted to the Wage-Hour Administrator of DOL upon request.

Solicitations affected by the 90-day rule are not listed above: "90-day" rule: 29 CFR 1.6(c)(3)(iv), as set forth in FAR 22.404-6(b)(6) provides that if a contract to which a general wage determination has been applied is not awarded within 90 days after opening, any modification to that wage determination published prior to contract award shall be effective unless the agency obtains an extension of this 90-day period from the Administrator, US Department of Labor.

General Decision Number: NJ170058 09/29/2017 NJ58

Superseded General Decision Number: NJ20160058

State: New Jersey                      aed 11/02/2017

Construction Type: Heavy

County: Monmouth County in New Jersey.

HEAVY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.20 for calendar year 2017 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, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.20 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2017.

The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

Modification Number    Publication Date

0                      01/06/2017

1	02/10/2017
2	03/03/2017
3	04/21/2017
4	05/19/2017
5	06/02/2017
6	06/09/2017
7	08/04/2017
8	09/01/2017
9	09/29/2017

ASBE0032-005 09/19/2015

MONMOUTH COUNTY (Township of Aberdeen; Borough of Allenhurst; City of Asbury Park; Boroughs of Atlantic Highlands, Avon-by-the-sea, Belmar and Bradley Beach; Township of Colts Neck; Boroughs of Deal, Eatontown and Fair Haven; Township of Hazlet; Borough of Highlands; Township of Holmdel; Boroughs of Keansburg, Keyport and Little Silver; Township of Marlboro; Borough of Matawan; Township of Middletown; Borough of Monmouth Beach; Township of Neptune; Boroughs of Neptune City, Oceanport, Red Bank, Sea Bright and Shrewsbury; Township of Shrewsbury; Boroughs of South Belmar, Union Beach and West Long Branch):

	Rates	Fringes
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## ASBESTOS WORKER/HEAT &amp; FROST

INSULATOR (Includes the application of all insulating materials, protective coverings, coatings and finishings to all types of mechanical systems; also, the application of firestopping material to openings and penetrations in walls, floors, ceilings and curtain walls; also, all lead abatement).....	\$ 47.24	31.95
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ASBE0089-005 07/01/2016

MONMOUTH COUNTY (Borough of Freehold; Townships of Freehold, Howell, Millstone, Upper Freehold and Wall)

	Rates	Fringes
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## ASBESTOS WORKER/HEAT &amp; FROST

INSULATOR ((includes the application of all insulating materials, protective coverings, coatings and finishings to all types of mechanical systems; also, the application of firestopping		
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material to openings and  
penetrations in walls,  
floors, ceilings and curtain  
walls; also, all lead  
abatement)).....\$ 42.02      31.83

## PAID HOLIDAYS:

The last day prior to the Christmas and New Year's Day  
observed holiday: 4 hrs. pay.

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BRNJ0004-001 11/01/2016

Rates      Fringes

CEMENT MASON.....\$ 40.00      29.29

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CARP0006-013 05/01/2017

Rates      Fringes

CARPENTER (Including Form  
Work).....\$ 47.28      57%

The first sixty feet at the regular rate, 10% per hour  
additional for each additional fifty feet thereafter.

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CARP0454-009 05/01/2016

Rates      Fringes

PILEDRIVERMAN.....\$ 43.95      31.32

## PAID HOLIDAYS:

New Year's Day, Washington's Birthday, Memorial Day,  
Independence Day, Labor Day, Thanksgiving Day and Christmas  
Day; provided that the worker works any of the three days  
in the five-day work week preceding the holiday and the  
first work day after the holiday.

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CARP0715-007 11/01/2016

Rates      Fringes

Millwright.....\$ 46.55      56%

Work of erection and dismantling of elevators and towers,  
such as concrete conveyors and temporary material  
elevators, scaffolding or other structures to be used as  
scaffolding inside or outside of buildings: the first sixty

feet at the regular rate, 10% per hour additional for each additional fifty feet thereafter.

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ELEC0400-007 05/29/2017

	Rates	Fringes
Electrician & Cable Splicer.....	\$ 47.50	34.68

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ENGI0825-021 01/01/2016

	Rates	Fringes
Power equipment operators:		
GROUP 1.....	\$ 47.70	29.80
GROUP 2.....	\$ 46.05	29.80
GROUP 3.....	\$ 43.91	29.80
GROUP 4.....	\$ 42.41	29.80
GROUP 5.....	\$ 40.69	29.80

#### Hazardous waste removal work:

Work on a state or federally designated hazardous waste site, where the worker is in direct contact with hazardous material, and when personal protective equipment is required for respiratory, skin and eye protection: 20% per hour additional.

#### PAID HOLIDAYS:

New Year's Day, Washington's Birthday observed, Memorial Day, Independence Day, Labor Day, Presidential Election Day, Veteran's Day, Thanksgiving Day and Christmas Day; provided 1) that the worker works three of the preceding five work days before the holiday; or, the work day before the holiday and the work day after the holiday; and, 2) that the worker works the work day before and the work day after the holiday.

#### DEFINITION OF GROUPS:

##### GROUP 1:

Backhoe, Including Backhoe Track; Boom; Concrete Paving Machine; Crane (all types, including overhead and straddle traveling type); Drill (down-the-hole drill, rotary drill, self-propelled hydraulic drill, self-powered drill); Elevating Grader; Excavator; Front End Loader (5 cu. yd. and over); Piledriver (length of boom, including length of leads, shall determine premium rate applicable)

##### GROUP 2:

Backhoe Loader Combo; Concrete Pumper; Grader/Blade (Finish);  
Hoist; Hydraulic Crane, 10 Tons and under; Front End  
Loader (2 cu. yd. but less than 5 cu. yd.); Scraper; Side  
Boom

GROUP 3:

Asphalt Spreader; Bulldozer; Compressor(2 or 3) (in Battery)  
(within 100 ft.); Crusher; Forklift; Front End Loader (1  
cu. yd. and over but less than 2 cu. yd.); Lull; Mechanic;  
Paver, Asphalt; Roller, Blacktop; Tractor;

GROUP 4:

Broom; Compressor (Single); Farm Tractor; Front End Loader  
(under 1 cu. yd.); Roller, Grade; Pump

GROUP 5:

Oiler

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\* IRON0011-013 07/01/2017

	Rates	Fringes
IRONWORKER		
Reinforcing.....	\$ 40.49	43.67
Structural, Ornamental, Rigger.....	\$ 42.54	43.67

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LABO0172-009 03/01/2017

	Rates	Fringes
Laborers:		
Common or General Laborer;		
Landscape Laborer, Power		
Tool Operator.....	\$ 38.75	28.60
Pipelayer.....	\$ 39.45	28.60

Hazardous waste removal work:

Work on a state or federally designated hazardous waste  
site, where the worker is required to wear Level A, B or C  
personal protection: \$3.00 per hour additional.

Work on a state or federally designated hazardous waste  
site, where the worker is not required to wear Level A, B,  
or C personal protection: \$1.00 per hour additional.

PAID HOLIDAYS:

New Year's Day, President's Day, Memorial Day,  
Independence Day, Labor Day, Presidential Election Day,  
Veteran's Day, Thanksgiving Day and Christmas Day; provided

that the worker works three days for the same employer within a period of ten working days consisting of five working days before and five working days after the day upon which the holiday falls or is observed.

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LABO0222-013 07/01/2012

	Rates	Fringes
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LABORER

MASON TENDER:

Cement/Concrete.....	\$ 29.35	23.07
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PAIN0711-023 05/01/2017

	Rates	Fringes
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Painters:

Work on bridges (Major

Bridges Designed for

Commercial Navigation).....	\$ 54.13	27.12
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PAIN0711-024 05/01/2017

	Rates	Fringes
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Painters:

New Construction

Brush and roller.....	\$ 40.19	22.72
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Repaint work, on projects

on which no major

alterations occur.

Brush and roller.....	\$ 29.05	18.91
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PLUM0009-024 03/01/2017

	Rates	Fringes
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PIPEFITTER.....	\$ 47.47	35.51
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Service and Repair.....	\$ 37.48	21.08
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TEAM0469-008 05/01/2017

	Rates	Fringes
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Truck drivers:

Dump Truck; Flatbed

Truck; Pick up truck.....	\$ 39.50	30.985
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Off the Road Truck.....	\$ 39.65	30.985
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Hazardous waste removal work:

Work on a state or federally designated hazardous waste site, where the worker is in direct contact with hazardous material, and when personal protective equipment is required for respiratory, skin and eye protection: \$3.00 per hour additional.

Work on a state or federally designated hazardous waste site, in a zone requiring Level A personal protection for any workers other than the truck driver: \$3.00 per hour additional.

Work on a state or federally designated hazardous waste site where the worker is not working in a zone requiring Level A, B or C personal protection: \$1.00 per hour additional.

PAID HOLIDAYS:

New Year's Day, President's Day, Decoration Day, Independence Day, Labor Day, Presidential Election Day, Veteran's Day, Thanksgiving Day and Christmas Day.

VACATION PAY CREDIT:

Workers working or receiving pay for 80 days within a year receive one week paid vacation (48 hours); 125 days receive two weeks paid vacation (96 hours); 145 days receive 15 days paid vacation (120 hours); 15 years seniority and 145 days receive 4 weeks paid vacation (160 hours).

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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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 [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

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)).

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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.

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

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

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

(End of Summary of Changes)

