

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE		PAGE OF PAGES 1   26	
2. AMENDMENT/MODIFICATION NO. <b>0004</b>		3. EFFECTIVE DATE <b>23-Jan-2018</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 checked="" type="checkbox"/> is extended, <input 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.							
<b>12. ACCOUNTING AND APPROPRIATION DATA (If required)</b>							
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. 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.							
<b>14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)</b>  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: NJ180058 01/05/2018 NJ58  The bid opening date is extended to 01 June 2018 at 2:00pm EST.  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)		23-Jan-2018	

## 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 0004

**Hurricane and Storm Damage Reduction Project, Port Monmouth, NJ  
Phase II-Contract 4  
IFB NO. W912DS-17-B-0007  
AMENDMENT #0004**

Bid Opening hour and date are changed to 01 June 2018 at 2:00PM local time.

1. The following changes are made to the plans:
  - a. Revise and reissue Sheets:  
G-108, C-109, C-110, S-101, S-102, S-103, S-107, S-108, S-301, S-302, S-307.  
S-311, S-503, S-504, S-505, S-508, S-519
2. The following changes are made to the specifications:
  - a. Revise and reissue the sections below:  
00 90 01 Wage Rates  
01 56 26 Traffic Control  
02 01 51 Vibration Monitoring  
31 00 00 Earthwork  
31 23 00.00 20 Excavation and Fill  
31 41 16 Metal Sheet Piling  
31 62 16.16 Steel H Piles

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:** According to the specifications section number 31 62 16.16 (Pg7 of section) it states the following: final lateral deviation from the correct location at the cutoff elevation of not more than 1 inch will be permitted for lateral and battering piles. Our piling sub-contractor is an expert in pile driving and their professional opinion is that this tolerance

is unachievable. Please consult the design engineer and advise if the 1" tolerance will be enforced.

**Response:** Final lateral deviation from the correct location at the cutoff elevation of not more than 1 inch is preferred and not more than 3 inches will be permitted. See revised Section 31 62 16.16, paragraph 3.2.3 included in this amendment.

**Question No. 2:** 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. Paragraph 3.2 mentions the collection and storage of soil samples taken from the Two Soil Borings, but Paragraph 3.2 does not indicate how many soil samples are to be collected, and how the soil samples are to be stored. Please provide this missing information.

**Response:** The SPT returns a soil sample every time it is performed. Therefore, a soil sample is to be collected at 2.5 feet intervals for the depth of the boring. Soil samples should be stored in accordance with typical industry standards. Note that Section 31 00 00 included in this amendment revised Para 3.2 to change the depth of borings to 90 feet.

b. Please clarify whether or not the Contractor is required to perform any laboratory testing on the soil samples to determine the engineering properties of the soil samples. If so, please provide the testing criteria and the number of soil samples to be tested.

**Response:** The Contractor is not required to perform any laboratory testing on the soil samples obtained from the SPTs.

**Question No.3:** With regard to the Levee construction, please clarify the following:

a. Based on observations and the Soil Borings in Section 00 90 03, the existing ground conditions under the footprint of the new Levees are expected to be wet, soft and yielding. Yet, the typical Levee Section on Dwg C-513 does not address these conditions through any type of engineering controls or design features such as Geogrids, Geotextiles, Wick Drains, Weeps, Settlement Platforms, Undercutting, etc. Please clarify exactly how the Government expects the existing ground to behave when the fill for the new Levees is placed and compacted on top of these expected ground conditions.

**Response:** The majority of the soft material indicated in the borings will be removed during the excavation of the inspection trench. The inspection trench material will be compacted which will provide a stable platform for the main levee embankment.

b. The wet, soft, yielding existing soil conditions will prevent the Contractor from achieving the desired compaction density in the lower lifts of Levee Fill. Please

clarify how the Government intends to deal with this condition, over which Contractor will have no control.

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

c. The Levee Toe Drain and Earthwork Specifications were written for earthwork being performed in optimal soil conditions and these specifications will not be applicable to the Contract 4 site conditions. Please review and revise these Specifications to address the site-specific soil and working conditions.

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

d. Please provide a site-specific Site Preparation Specification for the footprint of the new Levees that addresses the site-specific soil conditions. The applicable Paragraph 3.1 – Stripping in Section 31 00 00 is too vague. For example, this paragraph states that topsoil shall be stripped to a depth of 12” where indicated or directed, but the drawings do not indicate or direct the stripping of any topsoil. Please review and revise to provide site specific Site Preparation Specifications that apply to the footprint of the new Levees.

**Response:** Paragraph 3.1, first sentence, in Specification Section 31 00 00 included in this amendment has been revised to state “In all areas where excavation is to occur or where fill is to be placed, strip topsoil to a depth of 12 inches.”

e. Please clarify the purpose and need for the six feet deep Inspection Trench in the center of the new Levees as shown on Dwg C-513. Or, is this Trench actually a Cut-Off Wall?

**Response:** The inspection trench is to discover any unknown near surface issues. Perform work as directed in the plans and specifications.

f. Please provide a site-specific Subgrade Preparation Specification for the footprint of the new Levees that addresses the Contract 4 site-specific soil conditions. For example, Paragraph 3.6.1 – Ground Surface Preparation in Section 31 00 00 requires Unsatisfactory Material to be removed and replaced to unspecified depths in all areas that are to receive the Levee fill. If Paragraph 3.6.1 were applied as-is to the Subgrade under the new Levees (where the underlying soils are all shown in the Soil Boring Logs to be wet, soft, yielding and unsuitable) please clarify how deep the Contractor will be required to undercut the Levee footprint to achieve a stable subgrade.

**Response:** Unsatisfactory material is defined in Section 31 00 00, para 2.1.2. Unsatisfactory material underneath areas to receive fill is only to be removed **as stated in para 3.6.1** of the specifications.

**Question No. 4:** Paragraph 3.1.1.1 – Geotechnical Engineer, in Section 31 23 00 requires a Geotechnical Engineer to be hired by the Contractor to perform geotechnical inspection services. With regard to these services, please clarify the following.

a. This paragraph requires periodic site visits, which is too ambiguous for bidding purposes. Please specify the minimum frequency of site visits by the Geotechnical Engineer for bidding purposes: once per week, twice per month, or once per month.

**Response:** The frequency of the site visits will be based on construction activities as well as on-site conditions.

b. The second sentence states that the inspections are to be performed throughout the construction. However, this requirement is somewhat vague and needs clarification. For example, there would not appear to be any need for the Geotechnical Engineer to provide inspections once the excavations are backfilled. Therefore, please clarify which specific construction operations will require the geotechnical inspections.

**Response** The geotechnical engineer is expected to be involved in all subsurface activity.

**Question No. 5:** Please clarify the confusing language in Paragraph 1.2.1 of Section 31 62 16.16, which states that “No separate payment will be made for mobilization and installation for pile installation”. Since separate payment is provided in the bid proposal for the H-piles, we assume that the intended purpose of this paragraph is to exclude separate payment for the mobilization costs associated with the pile installation. Please clarify the intent of this paragraph.

**Response:** This paragraph has been deleted. See revised Section 31 62 16.16 included in this amendment.

**Question No. 6:** With regard to the construction of the two Flood Gates across Campbell Avenue and Broadway, please clarify if the Contractor will be required to work on one Flood Gate at a time in order to avoid closing both Campbell Avenue and Broadway at the same time.

**Response:** Campbell and Broadway cannot have total closure to traffic at the same time nor can the New Jersey Natural Gas mains at Campbell Avenue and Broadway be taken out of service / removed at the same time.

**Question No. 7:** Based on response to Question 35 in Addendum 3, we assume that detours of Campbell Ave and Broadway will be permitted during Construction at each of these locations. Please confirm.

**Response.** Any proposed detours are subject to the approval of the Contractor’s traffic control plan which must be in compliance with Section 01 55 26, para 3.1: One lane of

traffic on either Campbell or Broadway is required to be kept open at all times. Temporary total closure to traffic and pedestrians is subject to approval of the traffic control plan. In no event shall Campbell and Broadway have total closure to traffic at the same time.

**Question No. 8:** The fourth bullet point from the top of the fifth page of the JCP&L Scope of Work in Section 00 90 55 states that the USACE is responsible for all costs of relocating customer owned secondary/service wire from state, local, commercial, or residential facilities. With regard to this statement, please confirm that the Contract 4 bidders are not responsible for including the cost of this unknown amount of relocation work in the Lump Sum Price for CLIN #0016 since this relocation work is not shown on any drawings, and it is not feasible or appropriate to expect the bidders to perform the site surveys that are necessary to determine the number of secondary services that may need to be relocated as a result of the JCP&L work. If the relocation work is necessary, then we request that the Bid Proposal be revised to include a new Lump Sum Fixed Allowance CLIN of \$200,000 to cover the relocation work that may be necessary as a result of the JCP&L work.

**Response:** No relocations of customer owned secondary/service wire from state, local, commercial, or residential facilities are anticipated therefore, an allowance amount is not warranted.

**Question No.9:** What is the material and size of anchors in gate stoppers, drawing # S-505 detail 7?

**Response:** Plan sheet S-505 included in this amendment has been revised to show details on the anchors of the gate stoppers.

**Question No. 10:** Please clarify following subject as well: It is not very clear in specification whether closure gates must be stress relieved or not. Please clarify.

**Response:** Refer to Section 05 59 13, Paragraph 2.1.6.1 which states “thermally stress relieve subassemblies of thick weldments such that final machining achieves stable specified dimensions and tolerances”.

**Question No.11:** With regard to the Levee construction, please provide a Contract 4 site-specific specification for the Dewatering Plan because it will not be possible or practical to dewater the flood zone that encompasses the Contract 4 work limits. For example, Paragraph 1.5.2 – Dewatering Work Plan in Section 31 00 00 is a “boiler plate specification” that does not apply to the Contract 4 site conditions. Please clarify.

**Response:** Contractor is responsible for preparing and submitting dewatering plan. Refer also to Section 31 23 00.00 20, for dewatering requirements.

**Question No.12:** Please refer to section 5 and 6 on drawing S-503. Verify if the embedded plates are ASTM A240 type 304 Stainless Steel to match the bearing bars.

**Response:** As noted on revised plan sheet S-503 included in this amendment, embedded plates are ASTM A240, Type 316, Stainless Steel.

**Question No. 13:** Please clarify if the seal clamp bar and deflector bars shown on drawing S-504 made of ASTM A240 type 304 stainless steel?

**Response:** As noted on revised plan sheet S-504 included in this amendment, seal clamp bar material is ASTM A240, Type 316, Stainless Steel and deflection bar is ASTM A709.

**Question No. 14:** Please clarify if the bearing bars shown on drawing S-505 made of ASTM A240 type 304 stainless steel? What are the lengths of the bearing bars? Are they continuous from top to bottom of the gates?

**Response:** As shown on revised plan sheet S-505 included in this amendment, bearing bars are made of ASTM A709, painted. They are continuous from top to bottom of the gates.

**Question No. 15:** Please refer to detail 5 on drawing S-505, how many spacer bars are required along the length of the vertical seal?

**Response:** Spacer bar is continuous from top to bottom of the gates.

**Question No. 16:** 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 if Reaction Piles are required for all Static and Tension Load Tests.

**Response:** Reaction frames (which may include reaction piles) are required for all tests. This is to be designed by the Contractor.

**Question No. 17:** Dwg S-520 specifies a Steel H-Pile length of 54 LF for the Transition Monolith #84 from Station 23+98.25 to Station 24+28.25. However, this does not seem correct, since the Piles in the adjacent monoliths are longer than that: Module #83 shows a 60 LF Pile Length, and Module #85 shows a 75 LF Pile Length. Please clarify the Pile Length for Module #84.

**Response:** Refer to S-520 included in Amendment 3 which shows Monolith 84, Sta 23+98.25 to 24+28.25, pile length is 75 feet.

**Question No. 18:** The drawings do not provide a Typical Section and Pile Length for Transition Module #131. The Note #6 on Dwg S-302 refers to a Typical Cross Section on Dwg S-519, but Dwg S-519 does not provide this information. Dwg S-519 only provides an Elevation View of Transition Module #131. Please provide the missing information.

**Response:** Monolith 131 is similar to Monolith 130 and 132. The only difference is an increase of stem length by 6" for Monolith 131, as shown on S-519. As a result of the 6" increase of the Monolith 131 stem, the pile cap (including piles) is adjusted as necessary. This is also shown on S-519.

**Question No. 19:** Dwg S-303 provides various Flood Wall Cross Sections at the Campbell Gate, but we cannot find a Typical Flood Wall Cross that specifies the Pile Length at the Campbell Gate between Station 22+90.75 and Station 23+55.75. Please provide the missing information.

**Response:** Section 1 on S-303 shows gate section through Pilaster No1 & 2. Pile lengths for Sta 22+90.75 to Sta 23+55.75 are shown on this section detail.

**Question No. 20:** With regard to the 300 each, H-Pile Splices that are included in the Option #3 Pay item, please clarify the following:

- a. Which areas of the project (Station XX to Station YY) are the Pile Splices expected to be required?

**Response:** The splices might occur in areas where the pile length (for estimating purposes only) is called out as 75ft.

- b. Which party makes the determination as to which piles are to be spliced?

**Response:** The Government makes the determination.

**Question No. 21:** Dwg's S-101 to S-103 do not always provide the Tension Loads for the Test Pile Locations. Please clarify.

**Response:** Tension load test is only required in areas where they are called out.

**Question No. 22:** It appears that the pile layouts for Modules #80 & 81 on Dwg S-102 are missing some Batter Piles when compared with the enlarged pile layout on Dwg S-107. Please review and clarify if Dwg S-107 shows the correct number of piles for these two modules.

**Response:** Plan Sheet S-107 included in this amendment shows a revised number of piles for Monoliths 80 & 81 which is consistent with S-102.

**Question No. 23:** Dwg C-108 is titled Sanitary Sewer Crossing #1, Willow Street and State Route #36. With regard to the work that is shown on this drawing please clarify the following:

- a. Why does the Profile show concrete encasement extending around the new Ductile Iron Pipe from the Flood Wall to the New Manholes? What is the purpose and need for concrete encasement to be provided along the entire length of the new sewer

**Response:** The ductile iron pipe will be encased in concrete as shown on the plan. The plan has been approved by TOMSA and permitted by NJDEP. Perform the work in accordance with the plans and specifications.



b. What is to be done with the existing 8" Sanitary Sewer? Please confirm that it is to be plugged and abandoned.

**Response:** The existing pipe is to be removed and disposed of in accordance with Plan Sheet G-102, Utility Note No. 21.

**Question No. 24:** Dwg C-110 indicates a 36" PVC Diversion Pipe with Pumps, but there are no notes or other information provided on the drawing to explain what this means to the bidders. Please clarify the intent and purpose of this note.

**Response:** Plan Sheet G-102, Utility Note No. 9 indicates that the by-pass pumping shall be in accordance with TOMSA specifications.

**Question No. 25:** Note #21 on Dwg G-102 mentions that the existing sewer pipe(s) may be Asbestos Cement Pipe (ACP), and that it is the Contractor's responsibility to safely remove and dispose the ACP. However, it is not reasonable or equitable to expect bidders to include the cost of this theoretical Asbestos Remediation Work in their Lump Sum Pricing when the existence and scope of the ACP has not been documented. Therefore, the bid documents need to be revised so that the ACP Removal and Remediation Work is clearly identified as a Contingency Item that will be handled as a Modification to the Contract if in fact the ACP exists. Please make the necessary changes to the bid documents.

**Response:** Based on information provided by TOMSA, bidders should assume the pipe is Asbestos Cement Pipe and follow Sheet G-102, Utility Note No. 21. No changes to the bid document will be made regarding this.

**Question No. 26:** The monolith layout lines, piles and stationing on drawings S-101 & S102 are incomplete and are not fully marked on the plans. These missing drawing layers are necessary in order to properly determine the number and length of the proposed H-piles.

**Response:** S-101 and S-102 are plan overview sheets. For details regarding monolith layouts and pile lengths, refer to floodwall section sheets.

**Question No. 27:** Please reference Drawing S108. Please provide plan location dimensions of the North Pilaster.

**Response:** S-108 included in this amendment has been revised to show location dimensions of the pilaster.

**Question No. 28:** Please confirm that the fabricator of the two steel flood gates must be AISC certified.

**Response:** As specified in Paragraph 1.4.3 in Section 05 59 13 Fabrication of Hydraulic Steel Structure, “fabricating plant and fabricator shall be certified under the AISC Quality Certification Program.”

**Question No. 29:** Paragraph 2.1.1 - Satisfactory Materials, in Section 31 00 00 makes several references to embankment construction as one of the uses for Satisfactory Materials. However, this does not appear to be correct, and it is misleading for the following reasons. The first sentence in Paragraph 1.4.1 defines the Levee soil as the “embankment” material for this project; and, Paragraph 2.1.6 defines the types of soil that are acceptable for constructing the earth embankments for the Levees on this project. The types of soil described in Paragraph 2.1.6 are very different from the types of soil that are defined as Satisfactory Materials in Paragraph 2.1.1; and, the types of soil described in Paragraph 2.1.1 are not suitable for Levee construction. Therefore, in order to prevent misinterpretation of Section 31 00 00 with regard to the correct soil materials to use for the construction of the Levees, we recommend that the references to “embankment” be removed from all sentences in Paragraph 2.1.1. Please clarify.

**Response:** See revised Para 2.1.1 of Section 31 00 00 included in this amendment. .

**Question No. 30:** The type of Pile Cap Connections (Fixed or Pinned) are not provided for the four Transition Monoliths that are shown on Dwg S-519. Please provide the missing information.

**Response:** Plan Sheet S-519 included in this amendment shows the pile cap connection types.

**Question No.31:** Can the test piles be driven from the existing grade, or do the test areas need to be excavated first and the test piles be driven to a top of pile elevation similar to the job piles?

**Response:** Refer to Note 5 which has been added to revised Sheets S-101 and S-102, and Note 6 which has been added to Sheet S-103 to address this issue.

**Question No. 32:** With regard to the Test Pile Program specified in Section 31 62 16.16, please clarify the following:

- a. Please confirm our interpretation that the Test Piles are not to be driven through unexcavated overburden, and that each Test Pile Location will require the overburden to be removed in order to start driving the Test Piles at the applicable design subgrade elevation.

**Response:** Refer to Note 5 which has been added to revised Sheets S-101 and S-102, and Note 6 which has been added to Sheet S-103 to address this issue.

- b. The requirement to provide Primary Test Piles and Secondary Test Piles at the Test Pile locations is very unusual. Typically, a single test pile is considered

adequate for verifying the design length. Why is this unusual approach specified for this project?

**Response:** The Primary test pile is the Government's best estimate of the required capacity. In case additional pile length is needed, a Secondary test pile is provided to test to achieve the required capacity.

c. It would appear that the Secondary Piles are intended to provide a back-up plan for Primary Piles that may fail to reach the desired design capacity. Therefore, there must be some doubt about the specified lengths of the Primary Piles. If it is believed that adding only an additional ten feet to the Secondary Pile is sufficient to provide a reliable back-up plan, then why not just make the Primary Test Piles an additional ten feet longer and eliminate the Secondary Piles? Please clarify.

**Response:** The Primary test pile is the Government's best estimate of the required capacity. In case additional pile length is needed, a Secondary test pile is provided to test to achieve the required capacity

d. Please clarify if there is a minimum distance that must be maintained between the Primary Test Piles and the Secondary Test Piles at each Test Pile location.

**Response:** The minimum distance is 8 feet, or 5 times the largest pile diameter, (whichever is greater). This is the same as the minimum distance from the reaction piles during a pile load tests as noted in ASTM D1143.

e. Paragraph 3.3.3 of Section 31 62 16.16 requires the Static Load Tests to be performed for the Test Piles at Locations #5 & #6 before conducting the Static Load Tests at any other Test Pile locations. These two Test Pile locations also happen to be the only two locations where Tension Load Tests are required. However, Paragraph 3.3.3 does not assign a priority to perform the Tension Load Tests at Locations #5 & #6, which we find to be somewhat confusing. So that the bidders can fully appreciate the underlying piling design issues for this project, please clarify why it is so important to perform the Static Load Tests at Locations #5 & #6 before conducting all other load tests; and, clarify when the Tension Load Tests are to be performed at Locations #5 & #6.

**Response:** The pile load test program will take longer at this location due to the tension load tests. The tension loads at this location are higher than other locations which necessitates the loads to be tested. To make sure that this does not hold up the project, this area was specified first.

f. Please clarify if there are there any other requirements, restrictions or expectations that could affect the scheduling and sequencing of the Test Pile Program. For example, what if the Contractor plans to perform the Test Pile Program in several stages at various times in the schedule rather than all at once at the beginning of the project. Would a staged Test Pile Program be acceptable?

**Response:** That will be acceptable as long as staging the Test Pile Program does not negatively affect the completion date.

g. With regard to the Pile Load Testing Sequence specified in Paragraph 3.3.4.2 of Section 31 62 16.16, please clarify the following:

- i. Please confirm our assumption that if a Primary Test Pile fails the Static Load Test, then there will not be any requirement for the Contractor to perform a Dynamic Re-Strike of that failed Test Pile

**Response:** That will be determined by the Contracting Officer after completion of the static load test and analysis of the static test. For bidding purposes, bid as if the current requirements are unchanged.

- ii. And, when a Primary Test Pile fails the Static Load Test please confirm that the Contractor will abandon the Primary Test Pile and expect to start the Static Load Test on the Secondary Test Pile without waiting for direction or approval to do so by the Government.

**Response:** The Secondary test pile will only be tested at the direction of the Contracting Officer as specified in Section 31 62 16.16 Paragraph 3.3.1.1.

h. After reviewing the Pile Load Testing Schedule in Paragraph 3.3.4.2 of Section 31 62 16.16 it would appear that the proposed Test Pile Program is going to be costly, unpredictable, protracted, burdened with downtime, and very difficult to plan and schedule due to several factors: (a) there is a considerable distance between the seven test pile locations; (b) some of the test pile locations are difficult to access; (c) the 21-day waiting period between driving the test piles and conducting the load tests; (d) the 21-day waiting time to start the Tension Load Tests; (e) the uncertainty involving the "if & where" nature of the Load Tests for the Secondary Test Piles; and, (f) the waiting time to get decisions and direction from the Government. While the site logistics cannot be changed, other aspects of the Test Pile Program could be modified and improved. The Government should consider reducing the 21-day waiting times, eliminating the Tension Load Tests, and eliminating the Secondary Piles from the Test Pile Program. Please review and clarify.

**Response:** The test pile program will not be modified. Work shall be performed in accordance with the current plans and specifications.

i. Paragraph 3.3.3.1 specifies the Compressive Load Test to be done in accordance with ASTM D1143/D1143M - Procedure C, which calls for loading the test piles in increments of 50% of the Design Load. Please clarify the Design Loads that are to be used for the Test Piles on this contract since the chart on Dwg

S-001 makes reference to AWL's that are different from the various Load Tests shown for each Test Pile Location on Dwg's S-101 to S-103.

**Response:** S-001 and S-102 were revised as part of Amendment 0002. This change should resolve any confusion about the required loading.

**Question No. 33:** Please clarify the following issues with regard to the performance of the Wave Equation Analysis (WEAP) for the Primary and Secondary Piles as per Paragraph 3.3.1 of Section 31 62 16.16.

a. Please confirm our interpretation that a WEAP (Driveability Analysis) is to be provided for all fourteen Primary and Secondary Test Piles prior to performing the Test Pile Program.

**Response:** This is correct.

b. A review of the Soil Boring Logs provided in Section 00 90 03 reveals that the depths of the Soil Borings fall substantially short of the anticipated tip elevations for most of the Primary and Secondary Test Piles, as well as the Production Piles. Only Two of the Soil Borings were advanced to 82 feet below ground surface. All other Soil Borings were advanced to 52 feet or 24 feet below ground surface. Also keep in mind that roughly 8 feet of overburden needs to be subtracted from each Soil Boring Log, which means that a 52-foot deep Soil Boring Log only provides Blow Counts and relevant subsurface information for the upper 44 feet of the Test Piles that are specified to be 60 feet to 85 feet long. Therefore, for five of the seven Test Pile locations (a total of ten Test Piles) the Soil Borings provided in the bid documents were not advanced sufficiently deep enough for the Contractor to perform a complete or competent WEAP/ Driveability Analysis. This creates a situation where it will be impossible for the Contractor to perform the WEAP's and comply with Paragraph 3.3.1. Please address and clarify this important issue.

**Response:** The Contractor shall need to use the existing data to perform the WEAP analysis and document any assumptions that are made.

**Question No. 34:** With regard to the information presented in the Soil Boring Logs provided in Section 00 90 03, please address and clarify the following.

a. The Soil Borings fall substantially short of the anticipated tip elevations for the Base Bid Pile Lengths specified on the structural cross sections. Only Two of the Soil Borings were advanced to 82 feet below ground surface. All other Soil Borings were advanced to 52 feet or 24 feet below ground surface. After subtracting roughly 8 feet of overburden from each 52-foot deep Soil Boring, the bidders are provided with Blow Counts and other subsurface information for only the upper 44 feet of the Base Bid Piles that range from 60 feet, to 70 feet, and 75 feet long. This means that for most of the Base Bid Production Piles covered by CLIN #0009, the bidders are not provided with sufficient subsurface information to estimate the

driving time and cost to install the Base Bid Production Piles. Therefore, in order for the bidders to provide firm unit pricing for CLIN #0009, the bidders need to be provided with additional Subsurface Information that covers at least the full depth of the Base Bid Production Piles. Please provide the missing information.

**Response:** The Contractor shall need to use the existing data to perform the work.

b. For all of the reasons set forth above, the bidders are not provided with any subsurface information that is representative of the soil conditions that will affect the installation of the Additional Depth Piles. This subsurface information is absolutely necessary for the cost estimating and pricing of the Additional Lengths of H-Piles that are covered by the Add-On Optional Pay items: CLIN's #0025, 0026, 0027 & 0028. In order to provide firm unit pricing for the Additional Depth Piles the bidders need to be provided with additional Subsurface Information that covers the expected depths of these extra depth piles. Please provide this missing information.

**Response:** The Contractor shall need to use the existing data to perform the work.

**Question No. 35:** Paragraph 2.1.c of the Sheet Piling Specification Section 31 41 16 makes reference to Section 09 97 02 – Painting of Hydraulic Structures for the protection of the sheet piling. However, Section 31 41 16 does not provide a Coating System for the Sheet Piling. Also, we do not believe that a Protective Coating is needed for the Sheet Piles that are to be used to construct the Cut-Off Wall for the new Flood Wall. Please review and clarify.

**Response:** Sheet piling does not require coating. Para 2.1.c has been deleted from revised Section 31 41 16 included in this amendment.

**Question No. 36:** Various test load requirements are shown on the Contract drawings. It is understood that the ACOE wishes to test the piles to 300% the indicated test load. We have the following questions as a matter of clarification and equipment design.

a. Is it the ACOE's intent that production piles will be driven to 300% of the test load?

**Response:** No. The production piles will be driven to the depths that will be determined after the completion of the pile load test and will be either the primary or secondary depth in each area. The Contractor shall use the depths shown on the plans for bidding purposes.

b. In our experience when using load tests and wave equation a safety factor of 2 is applied to develop the production pile driving. Please clarify what safety factor should be applied to the test load for WEAP analysis?

**Response:** The WEAP analysis primary purpose is for the Contractor to select an appropriate hammer for the piles and depths shown on the plans. The assumed theoretical ultimate capacity of each test pile is twice the test load in each reach.

**Question No. 37:** Specification 01 45 00.00 10 on Page 6 in Section 3.4.4 states “If the CQC System Manager does not have a current certification, obtain the CQM for Contractors course certification within 90 days of award”. Please provide any associated fees with taking this class.

**Response:** There is no fee for the Construction Quality Management (CQM) for Contractors course if taken at USACE New York District. Additional information on the course is provided at <http://www.nan.usace.army.mil/Business-With-Us/Construction-Quality-Management/>

**Question No.38:** Please provide the desired design load and ultimate load of the H-Piles on this project. Contract Drawings S-101 through S-103 provide test loads for each load test area on this project. We are then told to test these piles to 3x this pile test load (for instance, a 145 kip test load pile would require testing to 435 kips). Please confirm this is correct. It is our experience that the test load is expressed as the ultimate capacity of the pile, not the design load.

**Response:** This interpretation is correct and should be used for bidding purposes.

**Question No. 39:** Please clarify the ‘Fluted Fin Finish Texture’ detail that is shown on Drawing S-508. From the sections provided on Contract Drawings S-301 through S-304, it appears that the finish protrudes from the concrete wall, rather than the form liner being embedded into the wall section. The detail on S-508 shows a required backing, what type of material shall be utilized for this backing and what is its thickness? Where exactly is the backing to be applied? Is the backing utilized to ‘skin’ the forms outside of the area to be lined with the flute fin finish form liner? Please provide a cross section of the wall showing the form liner finish, from the top of the floodwall down below the area that receives this finish with the concrete side clearly labeled.

**Response:** S-301 to S-304 show the lengths of the fluted fin finish at different floodwall sections. Fluted fin finish protrudes from the concrete wall as shown on Contract Drawings. Backing is required per manufacturer’s requirements. This note has been updated on revised Plan Sheet S-508 included in this amendment.

**Question No. 40:** Please confirm that vehicles which can pull a minimum of 19,240 and 8,000 for testing Campbell Gate and Broadway Gate shown on Drawing S-518 are not permanently supplied vehicles and they are to be provided during testing of the gates only.

**Response:** Vehicles are only to be provided during testing of the gates and are not permanently supplied.

**Question No. 41:** Will the ACOE allow the sheeting that is to be installed for cutoff below the T-Wall to be temporarily used for excavation shoring? The sheeting will be installed at the excavation limits, then pulled and re-installed at the permanent cutoff wall location.

**Response:** USACE will not allow cut off wall sheet piles to be used for temporary excavation shoring.

**Question No. 42:** Specification Section 31 00 00 provides material requirements for 'Select Gravel Fill', 'Select Earth Fill Material' and 'Select Granular Fill'. We interpret 'Select Earth Fill' to be the material properties required for the levee berm. We interpret the specification to require fill placed on the flood side of the floodwall to be required to meet the standards of Section 2.1.1, 'Satisfactory Materials' only. Please confirm.

**Response:** That interpretation is correct.

**Question No. 43:** Specification Section 02 01 51 Vibration Monitoring, para 1.2.1 Vibration Control Specialist – The specifications make this a full time position. Is this the actual intent? Is the Vibration Monitoring Technician also required to be on site full time? Are these personnel both required to be on site during all construction activities, or only during pile installation?

**Response:** The Vibration Control Specialist position shall have a full time availability whenever vibrations can be produced by construction activities. The Vibration Monitoring Technician is also required to be available whenever vibrations can be produced by construction activities.

**Question No. 44:** Specification Section 02 01 51 Vibration Monitoring, para 3.2 Pre-Construction Survey requires inspection of structures within 300 feet from contractor's site operations. Has the USACE made arrangements for entry onto private property to perform the Pre-construction inspection of houses, including the interior?

**Response:** It will be the Contractor's responsibility to obtain permission from property owners to perform pre- and post-construction structural surveys.

**Question No. 45:** Please confirm a mutual waiver of consequential damages, as listed, will be inserted into the final contract documents: "In no event shall any Indemnified Party or the Contractor be liable to the other for any indirect, special or consequential damages (including, but not limited to, loss of profits, interest, earnings or loss of use) whether arising in contract, tort or otherwise."

**Response:** No, the above statement will not be added to the contract documents.

**Question No. 46:** Section 31 23 00.00 20, Part 3.1.2.2 Dewatering, of the Technical Specification states, "While the excavation is open, the water level shall be maintained



continuously, at least 3 feet below the working level.” Note II.D on Contract Drawing S-001 (Addendum #2) states, “The ground water elevations shall be maintained two (2) feet below the bottom of foundation excavations, at all times, during construction and installation of a given structure.” Please confirm as to which takes precedence and at which level the water needs to be maintained.

**Response:** Section 31 23 00.00 20 included in this amendment revised Para 3.1.2.2 Dewatering to state “While the excavation is open, the water level shall be maintained continuously, at least 2 feet below the working level.”

**Question No. 47:** Can you please provide an existing underground utility plan along the project layout in order to better understand which utilities (and their locations) may be encountered during construction activities?

**Response:** The Topographical/Utility Survey plan sheets show the locations of existing underground utilities (gas, sanitary sewer, storm drainage, and water).

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

#### SECTION 00 10 00 - SOLICITATION

The required response date/time has changed from 31-Jan-2018 02:00 PM to 01-Jun-2018 02:00 PM.

#### SECTION 01 00 00 - GENERAL REQUIREMENTS

The following have been added by full text:

##### WAGE DETERMINATIONS

General Decision Number: NJ180058 01/05/2018 NJ58

Superseded General Decision Number: NJ20170058

State: New Jersey                      aed 01/05/2018

Construction Type: Heavy

County: Monmouth County in New Jersey.

#### HEAVY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 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 \$10.35 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually.

Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). 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                      01/05/2018

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

ASBESTOS WORKER/HEAT & 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

ASBESTOS WORKER/HEAT & 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)).....\$ 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 11/01/2017

Rates      Fringes

CARPENTER (Including Form  
 Work).....\$ 47.92      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 11/01/2017

Rates      Fringes

Millwright.....\$ 48.01      58%+0.15

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
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IRONWORKER

Reinforcing.....	\$ 40.49	43.67
Structural, Ornamental, Rigger.....	\$ 42.54	43.67

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LABO0172-009 03/01/2017

	Rates	Fringes
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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
Service and Repair.....	\$ 37.48	21.08

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\* TEAM0469-008 11/01/2017

	Rates	Fringes
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## Truck drivers:

Dump Truck; Flatbed

Truck;Pick up truck.....\$ 39.90	31.385
Off the Road Truck.....\$ 40.05	31.385

**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)